Strategic Action Plan

MINNESOTA JUSTICE FOR ALL PROJECT

MINNESOTA
JUDICIAL
BRANCH

MSBA Minnesota State Bar Association

December 2017

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Executive Summary

Minnesota was one of seven states to receive a grant from the Public Welfare Foundation, administered by the National Center for State Courts (NCSC), to assess relevant available resources and to design a strategic action plan for achieving the Justice for All (JFA) vision of a system where everyone has access to effective assistance for their essential civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services.[1] This project required close coordination among the Minnesota Judicial Branch, civil legal aid and the private bar as the project leads, as well as input and review from over sixty stakeholder groups from across the state.[2]

The Justice for All Steering Committee led the assessment effort. Committee members examined the sixteen components detailed in the NCSC Guidance Materials for the project and the results of that assessment are detailed in this report. Working with community partners, the Steering Committee held outreach events and conducted focus groups to bring new perspectives to this work.

Based on the assessment and the input from community partners, there were five areas that the Steering Committee identified as high priorities for improving the Minnesota access to justice system. The five strategic goals identified in the plan are:

1. Simplify family law court processes to both (1) maximize efficiency and resources within the Minnesota Judicial Branch and (2) improve litigant usability, trust and confidence in the civil justice system.
2. Increase the number of attorneys providing discrete task (also referred to as "limited scope" or "unbundled") representation to low- and middle-income people with civil legal needs through a robust and effective referral system.
3. Create a "no wrong door" system through which people with civil legal needs access legal information, self-help resources, and legal providers, through a user-centric approach that places the burden on the system to provide the best referral at the outset.
4. Integrate legal information, resources and referrals into community settings through co-located services, community collaboration and prevention efforts that build trust and decrease the number of civil court cases, with a specific focus on the prevention of housing evictions across Minnesota.
5. Increase communication across existing governance structures to implement the Justice for All projects and create a new governance committee specific to the triage portal work.

The strategic goals outlined above led to the following key initiatives to be implemented in 2018:

- Convene a Triage Portal Advisory Committee governance structure to coordinate the work already being done to redesign the civil legal aid online intake system with additional court self-help, ADR and private bar resources and ensure there are sufficient resources for the long-term success of this project.
- Create a Self-Represented Litigant (SRL) Judge Team to train judges and be a resource for the Minnesota Judicial Branch on best practices for working work with self-represented litigants

[1] Conf. of Chief Justices & Conf. of St. Ct. Administrators, *Resolution 5: Reaffirming the Commitment to Meaningful Access to Justice for All* (2015), *available at* www.ncsc.org/~/media/microsites/files/access/5%20meaningful%20access%20to%20justice%20for%20all_final.ashx.

[2] S*ee infra* page 6.

- Recommend simplified family law processes in conjunction with Early Neutral Evaluation work underway in State Court Administration and develop a pilot project.
- Develop an Unbundled Services Roster and integrate this within both the triage portal and the phone intake and referral networks statewide.
- Create a Rural Housing Prevention Toolkit to support community partnership work in rural Minnesota.
- Fund Community Dispute Resolution Programs to provide remote mediation services to expand statewide reach and better connect with community partners in underserved areas.
- Fund a part-time position focused on general community outreach work in targeted areas in Greater Minnesota.

I. Introduction

Project Overview & Goals

Minnesota applied for a Justice for All grant to develop a shared future vision across the civil justice system of access to effective assistance for essential civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services. The Justice for All Grant was established in response to Resolution 5. Unanimously passed in 2015 by the Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA), Resolution 5[3] supports an aspirational goal of 100 % meaningful access to justice for all in the civil court system. Building on our strong stakeholder network in the civil justice arena, our Justice for All project leverages existing investments and integrates systems to provide coordinated civil legal services across the state.

Minnesota has a strong foundation on which to build our Justice for All work. The Minnesota Judicial Branch (MJB) has a stated access to justice goal, which it defines as working toward "[a] justice system that is open, affordable, understandable, and provides appropriate levels of service to all users."[4] The Minnesota Legal Services Coalition (MLSC), the regional legal aid programs which together serve all 87 counties in Minnesota, work closely to enhance coordination and to prevent duplication of effort among legal services programs.[5] Minnesota also has strong volunteer attorney programs and issue- and population-specific legal services providers. The Minnesota State Bar Association (MSBA) has operated the Legal Assistance to the Disadvantaged (LAD) committee since 1981, which works to secure more stable funding sources for civil legal aid and develop policy proposals promoting access to justice.[6]

While these foundational strengths provided an excellent starting point for our work, Minnesota's robust and decentralized services culture creates challenges. Multiple entry points for seeking legal assistance in a large state make it difficult for providers across the system to know all of what is being offered and how their service or program fits. The complexity of programs and services also makes it difficult for people to know how to access the system to reach the appropriate services for their needs. In designing the process for our planning, we saw a need to increase shared understanding among our many program stakeholders of the entire web of services across the system. In addition to identifying the gaps in services, we wanted our process to identify, expand or bring to scale some of the promising practices showing good results in various parts of the state. In addition, we wanted to move towards a more integrated system that would help people navigate this very complex system to find the services they need.

The vision held at the forefront of our strategic planning effort was to work towards a system where everyone has access to effective and equitable assistance for their essential civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services.

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[3] *See supra* note 1.
[4] The full Minnesota Judicial Branch strategic plan for Fiscal Year 2018-2019 can be accessed here: www.mncourts.gov/mncourtsgov/media/scao_library/MJB-Strategic-Plan.pdf.
[5] See www.mnlegalservices.org for more details about the Minnesota Legal Services Coalition and its statewide support project, Legal Services State Support.
[6] Learn more about the LAD committee at www.mnbar.org/members/committees-sections/msba-committees/legal-assistance-to-the-disadvantaged.

Project Approach & Process

Project Team

Our project structure was divided into three tiers of participation: a planning team, a steering committee, and stakeholders.

The planning team included:

- Judge Sarah Hennesy, Assistant Chief Judge, Seventh District
- Bridget Gernander, Grant Manager for the Minnesota Judicial Branch Legal Services and Minnesota's IOLTA Program Director
- Lisa Cohen and Mary Kaczorek of the Minnesota Legal Services Coalition
- Ginny Belden-Charles, consultant, and her partners, Bob-e Simpson Epps and Corrie Lapinsky.

The planning team was responsible for designing the planning process, designing and facilitating project meetings, gathering research data, project management and communications and drafting all project documents, including the final recommendations and written plan.

In developing our project leadership, we recognized that Minnesota's rich network of services and systems necessitated a wide range of stakeholders to be actively engaged to this effort. The Justice for All steering committee consisted of representatives from the following entities:

- Minnesota District Court
- Legal Services Advisory Committee
- Statewide Self Help Center
- Volunteer Lawyers Network
- Legal Services of Northwest Minnesota
- Greater Twin Cities United Way
- Minnesota Appellate Courts
- State Law Library
- Minnesota State Bar Association
- Mid-Minnesota Legal Aid
- Client Representative
- Legal Services State Support

The role of the Steering Committee was to conduct the assessment, identify and agree on the priorities, strategic goals and initiatives, and to approve the final plan.

In addition to the Planning Team and Steering Committee, participation was sought from a wide range of stakeholders outside the legal services network to provide input in the assessment and prioritization phases. Some of these stakeholders participated in steering committee meetings, others came to a larger stakeholder meeting to set priorities, others were invited to review process step outcomes and provide input on these, others were interviewed during various steps. These stakeholders included representatives from the following:

Civil Legal Aid
- Minnesota Justice Foundation
- Standpoint
- Legal Assistance of Dakota County
- Central Minnesota Legal Services
- Legal Aid Service of Northeastern Minnesota
- Legal Assistance of Olmsted County
- Loan Repayment Assistance Program of Minnesota
- Legal Aid Self-Help Forms Staff
- Call for Justice
- Intake staff from multiple programs

Alternative Dispute Resolution
- Bureau of Mediation Services | Office of Collaboration & Dispute Resolution
- Conflict Resolution Center
- Dispute Resolution Center & Community Mediation Minnesota

Private Bar
- Hennepin County Bar Association
- Faegre Baker Daniels
- Thrivent Financial
- Collaborative Community Law Initiative
- St. Paul Port Authority & MSBA Council
- Dorsey & Whitney
- Cooper Law
- Mundahl Law, PLLC
- Avivo
- Legal*nudge*

Government
- Hennepin County Law Library
- Minnesota Attorney General's Office
- MJB Forms Manager

Social Services & Community Voices
- Greater Twin Cities United Way 2-1-1
- Northside Residents Redevelopment Council
- Community leaders
- Community residents
- Aurora St. Anthony Neighborhood
- The Bridge for Youth
- Domestic Abuse Project
- Program for Aid to Victims of Sexual Assault
- Native American elder
- InquilinXs UnidXs Por Justicia
- Northpoint Social Services
- Safe Avenues
- Avivo (Formerly Resource Inc.)
- Morningstar Baptist Church
- Camphor Memorial United Methodist
- Model Cities
- Aurora St. Anthony
- NAMI Minnesota
- Ramsey County Sheriff
- Ujaama Place
- Hope United

In addition to working with the above groups and individuals, we presented to and received input from the following groups:
- Over 250 statewide legal services staff at the Minnesota Legal Services Statewide Conference (October 2017)
- Community Dispute Resolution Advisory Council, which is a group of alternative dispute resolution experts from non-profit, government, law school and community settings, to discuss

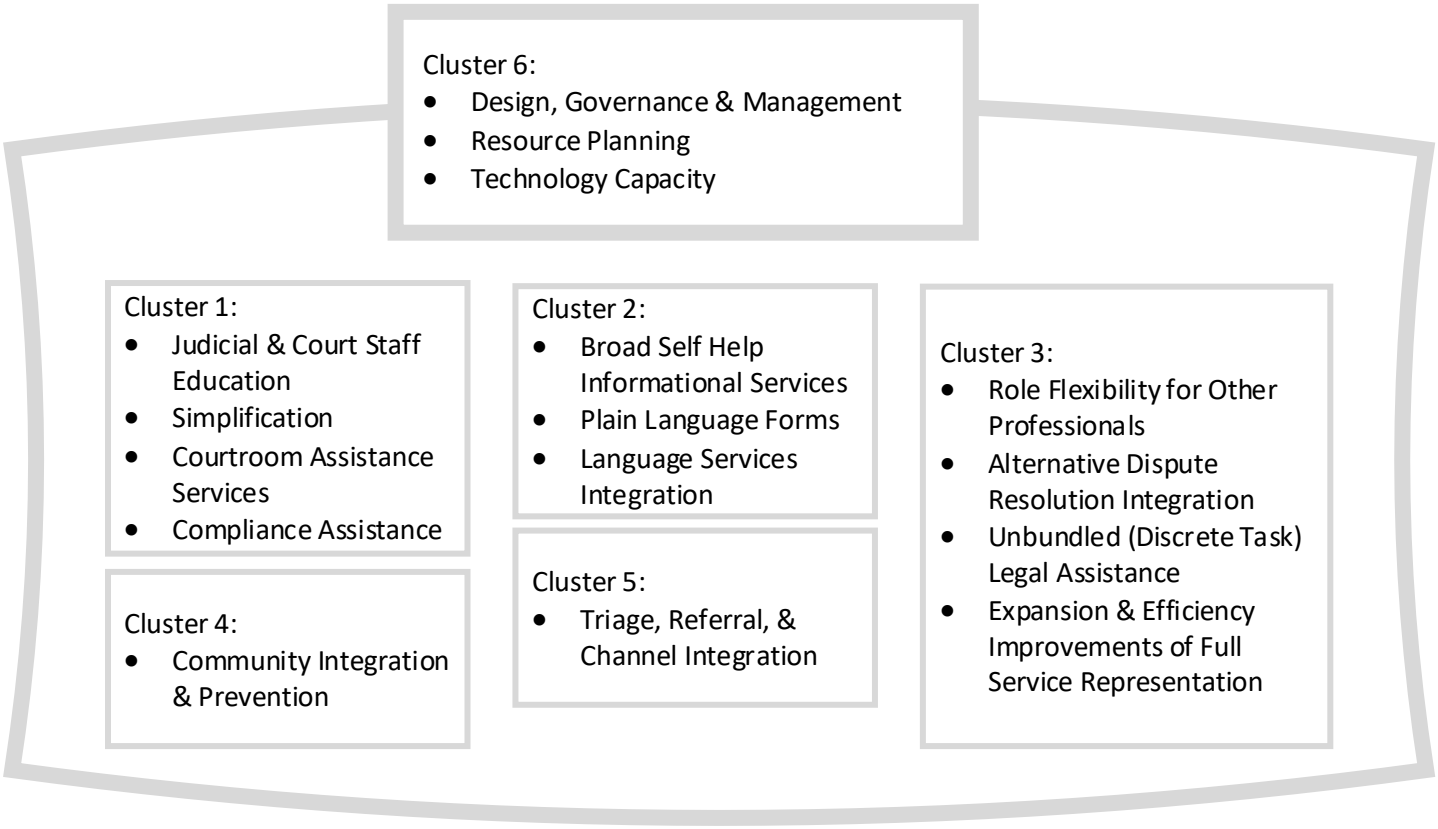
ways that these grassroots programs could be more integrated into the Justice for All projects, especially as they are expanding to provide statewide remote services (November 2017)

- State Court Administration Staff, to tell them about the JFA project and get input on priority areas (most interested in simplification and triage), and to get support for eventual implementation (June 2017)
- Minnesota Supreme Court, to provide an overview of the JFA project so far and ensure their support for the emerging priorities (June 2017)
- Minnesota Judicial Branch Committee for Equality and Justice, to tell them about the project and get input; most interested in unbundling and triage (July 2017)
- Minnesota State Bar Association Assembly, to give an overview of the project and get input and support for innovations in unbundled representation (September 2017)
- Minnesota Legal Services Coalition Partners Meetings, to provide updates on the project to civil legal aid stakeholders and receive input (July 2017 and September 2017)
- Minnesota Corporate Counsel Pro Bono Committee, to provide an overview; most interest in triage (September 2017)
- Minnesota District Judges Conference, to give an overview of the Justice for All project and a primer on unbundled attorney ethics rules so judges would support private practice attorneys doing more of this work (December 2017)
- HCBA Pro Bono Working Group, to give an overview of the project and get input and support for innovations in the triage component (September 2017)
- Focus groups of attorneys and self-represented litigants, to get input on the unbundled initiative (November and December 2017)

Project Steps

1. Assessment

Our process for completing this work followed the approach outlined in the guidance materials provided by the Justice for All expert working group.[7] We began by completing an inventory assessment of the 16 components outlined in the guidance materials, organized into 6 clusters which we used to conduct our assessment:[8]



We organized the components into these clusters primarily because of who in the justice and broader community would need to participate in each discussion. The community and triage discussions were large enough that we felt each deserved its own meeting and separate analysis. Three of the components we assessed differently: Design, Governance & Management; Resource Planning; and Technology Capacity. We considered these three in all other component assessments and again on their own.

The Steering Committee held an assessment meeting for each of the first five component clusters. Additional individuals working on programs or services within the cluster were included during the meetings and in additional information-gathering. Pre-work was done before each meeting to identify

[7] Nat'l Ctr. for St. Cts., Justice for All Strategic Planning Guidance Materials (Aug 3, 2016), www.ncsc.org/~/media/Microsites/Files/access/Justice%20for%20All%20Guidance%20Materials%20Final.ashx.
[8] *See infra* section II, Assessment Findings.

existing programs/resources, identify additional participants and gather relevant research data for that cluster.

The first part of the assessment was to provide an overview of the existing programs and services. We invited those engaged in relevant programs to provide information and answer questions for participants. This proved to be an important outcome of our assessment: a better understanding of the full range of legal services and programs in urban and rural Minnesota; questioning and dialoguing with those directly engaged in those services; and learning from these stakeholders about new developments, overlaps and gaps in services across the state. The result was a more comprehensive map of the various pieces of the system and how they fit into the web of services across the state.

The second part of each assessment meeting was discussion of a series of questions laid out in the project assessment materials for each component in the cluster. We asked: (1) who do these serve, (2) how much of the need is met, what are the (3) strengths and (4) gaps for each component, and we highlighted when (5) additional information was needed to complete the assessment.

The Community Integration and Prevention assessment included a longer and larger meeting in which members of community groups were invited to share information on their perceptions of the access to justice in the civil legal system. In this meeting, previous research efforts[9] were validated regarding community perceptions, particularly in low-income and immigrant communities and communities of color: awareness of the differences between civil and criminal court is lacking; many community members do not know when they have a legal problem; and if they do, legal problems are often viewed as a lower priority to address than the more immediate needs for safety, shelter, and food. People feel intimidated going to court and communities of color and immigrant communities often do not feel welcome in the judicial system. We learned from the participants that legal/community partnerships were seen as highly important in building trust, educating communities and in doing prevention work.

2. Prioritization

We used a two-phased prioritization process. The first phase was a survey of Steering Committee member asking them to independently prioritize areas based on the inventory assessment. The second phase was a group discussion about the components and their respective rankings to come to develop a group consensus.

After completing the component assessments, the Steering Committee reviewed the summary assessment notes and completed a poll that included the following three questions:

- Choose the three component areas that you believe are the highest priority to address
- Explain why you chose these areas (how you prioritized)
- Please explain any disagreements you have with the summary assessment document or provide any additional information

The results of the poll[10] were shared with the Steering Committee members, who discussed the poll results and identified areas of agreement and disagreement. The Steering Committee next discussed criteria for prioritization, reviewing the criteria from the JFA guidance materials and a summary of prioritization criteria pulled from the survey responses.

[9] https://www.lsc.gov/sites/default/files/attach/resources/LegalNeedsStudy-MinnesotaBarAssociation.pdf
[10] *See* Appendix A, Survey Results.

The group then discussed and decided on the following criteria (developed as questions we would use to assess potential action areas within each component):

- Is it something we can accomplish?
- Will it enable us to serve more people?
- Will it improve trust in the civil justice system?
- Will it leverage our strengths?
- Will it address our weaknesses?
- Will it have significant benefits at a reasonable cost?
- Will it have broad reach across the civil justice system?
- Will it respond to the most important needs of the community?

We evaluated each of the 16 different components using these prioritization criteria.[11] Finally, we selected five Target Areas to move forward for further research over the summer months. The five components for further research presented to stakeholders were:

1. Community Integration and Prevention
2. Triage, Referral and Channel Integration
3. Design, Governance & Management
4. Unbundled (Discrete Task) Legal Assistance
5. Simplification

Research teams were established to explore promising practices/approaches in the five select target areas and develop recommendations to bring forward for final prioritization and goal setting.

For example, in the Community Integration and Prevention component we had learned through the assessment process that legal- community partnerships were an important way in which community members gained trust and successfully accessed needed services. We researched eight successful partnership programs using a combination of online research and interviews.[12] We learned about the partnerships' origins, focus areas, the outcomes they had achieved to-date, and what had they learned in establishing a community partnership. Findings and recommendations from this research were aggregated and shared with stakeholders during the fall stakeholders meeting.

At the Fall Stakeholder meeting, discussion tables were set up for each of these five priority areas. Participants first rotated to each of the discussion tables to hear about the practices and recommendations and to ask questions. Then participants were invited to choose one area for deeper discussion. Finally, the full group heard reports from each of the discussions and the meeting finished

[11] *See infra* Section III, Prioritization Summary.

[12] Successful programs were potentially replicable projects showing positive outcomes. The projects included Legal Aid Service of Northeastern Minnesota's Iron Range Housing Project; Southern Minnesota Regional Legal Services' Frogtown Project Housing Early warning system for vacant buildings; Mid-Minnesota Legal Aid's Bank of America Community Redevelopment Project with Northside Resident's Redevelopment Council; Southeast Roseville Interagency Work Group (SRIWG); Stearns County Felony Domestic Violence Court; Hawaii Justice For All project approach and activities; Kansas City "Adopt-A-Neighborhood" project; and Medical-Legal Partnerships.

with a group polling tool to identify the top priorities within the five areas presented.[13] These formed the basis for the five strategic goals in the plan.

3. Action Plan

As a final step, the Planning Team, considering current initiatives, funding sources, Court priorities and recommendations of the Steering Committee and Stakeholder meetings, drafted a set of next step initiatives which were brought to the Steering Committee for discussion and approval.

What follows is Minnesota's strategic action plan outlining our findings and strategic goals, key JFA initiatives, performance measures and communications consideration that will work toward justice for all – a system where everyone has access to effective assistance for their essential civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services. Section II details our assessment findings, Section III discusses our prioritization step, and Section IV details our action plan with key initiatives for 2018 and beyond. Section V discusses our communications plan.

[13] *See* Appendix A, Survey Results.

II. Assessment Findings

This section contains a summary of our assessment for all 16 Justice for All Components, organized into clusters. These are summaries of our findings from our steering committee meetings and research completed during the assessment.

Cluster 1.

The components in this cluster included:

- Courtroom Assistance Services
- Judicial & Court Staff Education
- Simplification
- Compliance Assistance

To prepare for our assessment of these components, the planning team consulted with leadership with the Statewide Self Help center and the Judicial Education Program Manager at the State Court Administrator's Office. The steering committee met via webinar to discuss these components, and overall assessed these components as areas of relative strength for Minnesota. Following the assessment, we also held a webinar to learn more about Alaska's simplified family court processes and researched the family law simplification efforts underway in Oregon, Utah, Iowa and Idaho.

Courtroom Assistance Services	
Key elements for this component: • *Instructional videos on logistics and procedures* • *In-person assistance* • *Technology tools to support work of assistants, such as automated forms* • *Technology tools for the judges to prepare final orders in the court room* • *Training tools for personal assistants and court staff*	**Minnesota System Strengths:** • "Going to Court" videos in English, Spanish, Hmong, Somali. • Training for judges for working with SRLs.[14] • Some technology tools for judges to use in courtrooms with courts online records system (MNCIS). • MNCIS is improving access for the public. • Online resources & SRL training statewide. • Satisfied with quality of existing services. • Judicial Branch piloting text reminder system in Hennepin County.
	Minnesota System Gaps: • Difficult to issue same-day orders in some cases (e.g. family). • No court navigator program.

[14] SRL = Self-Represented Litigant; someone who is going to court without a lawyer.

Judicial & Court Staff Education

Key elements for this component:

State judicial and court staff education programs should follow adult learning principles, be dynamic and interactive, and address the following topics:

- *Engagement with self-represented litigants (e.g., reassure judges about engagement through questioning and principles of neutrality, share courtroom techniques that are most effective in providing access while protecting neutrality)*
- *Availability of community resources and other referral opportunities*
- *Language access requirements and procedures*
- *Procedural fairness*
- *Change leadership for judges*
- *Cultural sensitivity*

Minnesota System Strengths:

- Judges are required to participate in trainings about working with SRLs, interpreters, and implicit bias.
- Have cultural trainings 4x/yr.
- Trainings are available to all staff, with many recorded to view on demand.
- Many other optional trainings.
- Annual judicial conference and train the trainer programs.
- Good use of technology: trainings available on-demand in electronic format

Minnesota System Gaps:

- Many trainings are optional.
- Judges have limited time for optional trainings.

Simplification

Key elements for this component:

- *One-stop shopping used to simplify user experience*
- *Streamlined internal court operations, including automated generation of orders and judgments*
- *Online dispute resolution*
- *Forms, legal documents and oral communications, face to face conversations use plain language.*
- *Review of courtroom procedures to determine more effective ways of providing information, helping parties come to resolution*
- *Simplified court rules to eliminate unnecessary appearances and filings*

Minnesota System Strengths:

- Unified statewide court system.
- Strong statewide self-help services system; some remote, some in-person.
- Some specialty courts (e.g. for domestic violence).
- New MJB forms manager working on plain language and automated forms.
- Most counties use ENE, ICMC, and/or FENE.[15]
- Courts building tech capacity by using Benchworks technology.

Minnesota System Gaps:

- Online dispute resolution not widely available.
- Limited resources in some counties prevent automated or same-day orders.
- ENE, etc. can be cost-prohibitive for litigants.
- No existing simplification efforts like Alaska's streamlined family law process.

[15] ENE = Early Neutral Evaluation. ICMC = Initial Case Management Conference. FENE = Financial Early Neutral Evaluation.

Compliance Assistance	
Key elements for this component: • *Written orders and compliance information available immediately after hearing* • *Use of plain language orders and judgments* • *Explanations provided by judges and other court staff* • *Reminders prior to deadline* • *Online tools to assist with compliance and enforcement* • *Collaboration with stakeholders and users to identify common problems and ways to address them*	**Minnesota System Strengths:** • Some plain language proposed orders available. • Courts encourage judges to issue same-day orders; available in some case types. • Good online instructions for family matters if the other party fails to comply. • Good coordination of compliance efforts through the MSBA's Legal Assistance to the Disadvantaged (LAD) Committee .[16]
	Minnesota System Gaps: • Difficult to issue same-day orders in some cases (e.g. family). • Unclear extent of where same-day orders are available. Can vary based on judge practice.

[16] http://www.mnbar.org/members/committees-sections/msba-committees/legal-assistance-to-the-disadvantaged#.WjxH2LpFymQ.

Cluster 2.

The components in this cluster included:

- Broad Self Help Informational Services
- Plain Language Forms
- Language Services Integration

To complete our assessment of these components, the steering committee consulted with the Minnesota Judicial Branch's new forms manager, the community education and outreach staff for legal aid, a representative from the Attorney General's office, and a client representative who runs a translation and interpretation company. While recognizing there is always more work to be done in these areas, we also assessed these components as areas of relative strength for Minnesota.

Broad Self Help Informational Services

Key elements for this component:

- *All information provided in plain language*
- *Instructions on legal processes, applicable law, and how to prepare for and present a case*
- *Links to information and forms on other specific subject matters, including out-of-court resolution*
- *Materials optimized for mobile viewing*
- *Information on which courthouses hear what cases and court access (e.g., transportation)*
- *Staffed self-help centers in/near courthouse or accessible in community*
- *Multiple channels of providing information (e.g., workshops, online)*

Minnesota System Strengths:

- Legal Aid: Hundreds of online & print resources with focus on issues with which legal aid provides service; LiveHelp with State Law Library.
- AG's office: Print & online materials with consumer focus; respond to public.
- State Law Library: Librarians & online resources; broader scope; also serve inmates.
- Self Help Center: Statewide remote services, some districts in-person; online help topics. "Going to Court" videos in multiple languages.
- Great online resources & use of technology.
- Sustainable remote service delivery at SHC - ~25K Statewide SHC calls/yr.
- Strong in-person services in some areas - ~40K Henn Co. SHC walk-in customers/yr.
- Self-help is relatively well-resourced at courts & legal aid.

Minnesota System Gaps:

- Less comprehensive in-person coverage in Greater Minnesota.
- Not many preventative materials.
- Gaps in materials – e.g. service of process.
- Inconsistent internet access in Greater Minnesota may limit access to videos and online resources.
- Could improve governance, especially coordination with AG's office.

Plain Language Forms	
Key elements for this component: • *Implementation of standardized plain language forms* • *Protocols for assessing and updating forms* • *Testing for comprehensibility and usability* • *Form data integration with the court information system*	**Minnesota System Strengths:** • 500+ static court forms; Self Help Center building more automated forms. • Legal Aid has 19 automated forms and some static forms attached to fact sheets. • State Law Library has appellate forms. • New position at SHC to improve forms. • MJB using new technology for form assembly (Guide & File, fillable PDFs) with ability to eFile. • Statewide access to forms review through remote SHC. • Some forms updated for plain language. • Courts have rules committee, advisory group. • Courts & legal aid currently invest resources in this area. **Minnesota System Gaps**: • Many forms not yet updated for plain language & require high literacy level. • Many forms not translated. • Need more appellate forms. • Still some variation among districts for forms.

Language Services Integration	
Key elements for this component: • *Language access services at all points of contact between LEP users and all legal system components (e.g., provision of qualified interpreters and translators, multilingual staff, written and audio-visual tools in languages other than English, and the use of technology to provide access to LEP users in their primary language)* • *Quality of language access services and providers*	**Minnesota System Strengths:** • Minnesota ranked #6 in nation for language access.[17] • Courts have statewide LEP plan;[18] served 26,000 in 2016. • Some forms & videos available in other languages. • Court rules provide the right to an interpreter in civil and criminal cases. • Legal aid provides interpreters. • Legal aid has fact sheets, audio, & video in other languages. • Courts have mandated service budget dedicated to interpreter services. • High potential for technology via video conferencing and phone.

[17] NAT'L CTR. FOR ACCESS TO JUSTICE, Performance Map: Access to Justice for People with Limited English Proficiency, The Justice Index 2016, available at http://justiceindex.org/2016-findings/language-access.
[18] Language Access Plan for the Minnesota Judicial Branch (June 2016), *available at* http://www.mncourts.gov/mncourtsgov/media/scao_library/LAP/Minnesota_LAP-FINAL-July-2016.pdf.

• *Language access planning and monitoring* • *Increased availability of multilingual information and education for LEP users* • *Effective use of multi-lingual outreach and court and community agency staff*	**Minnesota System Gaps**: • Forms must be completed in English. • Hard to find interpreters for some exotic languages. • Difficult to assess need – what percent of people who have needs are being served? • Interpreter service expenses growing for courts and legal aid.

Cluster 3.

The components in this cluster included:

- Role Flexibility for Other Professionals
- Alternative Dispute Resolution (ADR) Integration
- Unbundled (Discrete Task) Legal Assistance
- Expansion & Efficiency Improvements of Full Service Representation

To complete our assessment of these components, the Access to Justice Director at the Minnesota State Bar Association (MSBA) prepared reports for the Steering Committee on recent efforts at the MSBA about Alternative Legal Models and the state of unbundled in the private market. The Legal Services Advisory Committee program manager gathered data on unbundled and full representation within legal services. A solo practitioner with unbundled as her primary practice model and shared her perspective on doing unbundled work within the private market with the Steering Committee. We also invited representatives from Community Mediation Minnesota and the Bureau of Mediation Services to discuss ADR.

Given the recent outcomes of the MSBA's Alternative Legal Models Taskforce, the Steering Committee viewed role flexibility for other professionals as not feasible at this time. The Steering Committee viewed ADR as a promising area with existing momentum. While viewing full representation as a strength area, it saw unbundled within the private bar as lacking necessary momentum and infrastructure to adequately serve people unable to get help at legal aid. The MSBA Access to Justice Director completed some additional research about unbundled at the request of the Steering Committee as part of our "promising practices research." We also completed some focus groups with both attorneys and potential consumers of unbundled legal services to gauge interest in this approach. Other than not liking the term "unbundled", the response from the potential customers was very favorable to limited scope or a la carte services.

<table>
<tr><th colspan="2">Role Flexibility for Other Professionals</th></tr>
<tr><td rowspan="2">Key elements for this component:
• Assist litigants in navigating court processes on-site
• Assist litigants in selecting and filling out forms
• Assist litigants in complying with legal processes for case actions with large numbers of self-represented litigants</td><td>Minnesota System Strengths:
• None; there is no existing work in this area.</td></tr>
<tr><td>Minnesota System Gaps:
• The MSBA Future of Legal Education Task Force created an Alternative Legal Models Task Force that researched promising models and drafted recommendations for the broader MSBA Assembly. In 2017, the MSBA voted down proposals for both limited license technicians and expanded paralegal roles. This could be revisited in the future, but there is not political capital to revisit this issue in the near term.</td></tr>
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Alternative Dispute Resolution Integration

Key elements for this component:

- *Provision of information about ADR modes and processes, substantive ADR law, and consequences*
- *ADR information available online and integrated into portal*
- *Clear codes of ethics for the non-judicial neutrals*
- *Access to ADR modes provided within procedural context, possibly through self-help*
- *Ethically appropriate collaborations between ATJ stakeholders and ADR providers*

Minnesota System Strengths:

- Existing infrastructure: there is an Office of Collaboration and Dispute Resolution within the state's Bureau of Mediation Services.
- Community Mediation Minnesota new umbrella for expanding ADR statewide.
- ~500 cases/yr for metro programs; ~30-200 cases/yr for Greater Minnesota programs.
- Other nonprofits & community-based programs outside of formal ADR.
- 70% of people served by Community Dispute Resolution Programs (CDRP) are low income. Services are often free or sliding-scale fee.
- Community-centered approach; building infrastructure to expand
- Current programming has high agreement rates & satisfaction levels
- New governance/coordination structure with the CDRP Advisory Council.
- High potential for technology to meet rural need; e.g. Skype

Minnesota System Gaps:

- Only 8 of 87 counties served plus additional programs;
- Some legal areas missing (e.g. divorce, guardianship).
- Concerns about power imbalances and monitoring quality of volunteers.
- Not always well coordinated with courts.
- Not as well-resourced in Minnesota as in other states.

Unbundled (Discrete Task) Legal Assistance

Key elements for this component:

- *Lawyers willing to provide legal services on a discrete task (unbundled) basis*
- *Training and resources to support participating lawyers*
- *Screening, triage and referral components to connect these lawyers with persons seeking their services*
- *Processes for conclusion of limited scope representation, (i.e. client is aware of any remaining legal needs and how to do that through self-help or other resources)*
- *Adoption of rules (e.g., ghostwriting, conflicts, limited appearance) that*

Minnesota System Strengths:

- Legal aid & pro bono do a lot of unbundled. Legal aid has offices statewide - ~22K advice & brief service/yr by legal aid staff. ~11K advice & brief service/yr by pro bono & Judicare.
- Many online market-based unbundled services (e.g. Avvo.)
- A few in-person market-based unbundled practices (e.g. Legal Nudge.)
- Minnesota Legal Advice Online.
- Minnesota has good unbundled rules from the professional responsibility office.
- MSBA provides good online resources for unbundled.
- Technology used well in both legal aid & private bar.

facilitate limited scope representation and ease in entering and exiting a matter for an attorney • *Full acceptance by the judiciary of the practice* • *Good lines of communication between the limited scope attorney and the client*	**Minnesota System Gaps**: • Difficult to find lawyers for Judicare, pro bono or staff programs because of shrinking pool to draw from in rural areas. • Fear within private bar of ethical rules & requests for free services. • Missing some forms. • No unbundled roster or MSBA section.

Expansion & Efficiency Improvements of Full Service Representation

Key elements for this component: *With the proviso that strategies will be different for free legal services versus market-based solutions, key elements include:* • *Assessment of existing service capacity in the state, factoring in geographic differences where they exist.* • *Identification of effective service pro bono, legal aid and market-based delivery strategies that have potential to be replicated or scaled up.* • *Incorporation of litigation strategies that have the potential to impact many people and thus decrease the need for full representation in the future.* • *Training and assistance with implementation of best practices for utilizing technology and process improvement; and identification of potential funding, pro bono and in-kind support to make this possible.* • *Training and mentoring for pro bono volunteers, both on substantive issues and on how to work with low-income clients.*	**Minnesota System Strengths:** • Legal aid, Judicare, and pro bono attorneys do full rep at no cost to client. Legal aid has offices statewide - ~9K full rep/yr by legal aid staff. ~2K full rep/yr by pro bono & Judicare. • Modest means family law panels in Hennepin and Ramsey Counties generally serve up to 300% FPG; HCBA does ~50/yr. MSBA expanding panel statewide in late 2017. **Minnesota System Gaps**: • Difficult to find lawyers for Judicare, pro bono or staff programs because of shrinking pool to draw from in rural areas. • Resourcing Greater Minnesota is challenge – funding often tied to decreasing population.

Cluster 4.

The component in this cluster included:

- Community Integration & Prevention

While legal aid and the courts have started promising work in this area, the Steering Committee recognized that this area needs significant growth in Minnesota. To complete our assessment of this component, we had discussions with community and social service stakeholders and held a standalone meeting where we asked:

- What are the types of issues that cause your community members to need to go to civil court?
- Where do your community members go for help with these issues?
- What resources do you know of in your communities that can assist people with civil court issues/access to civil court?
- Who do these resources serve (and who is not being served)?
- How much of the current need do you think is being met by existing resources?
- What have you heard from your community members about their experiences with civil court?
- What are the barriers to accessing justice within the civil court system for your community members?

The Steering Committee reviewed the existing work happening in the civil justice system, and confirmed its perception that these efforts are insufficient to meet the needs in this area. In an extensive 2011 study of barriers to civil justice in Minnesota,[19] respondents identified most frequently as underserved included the working poor, immigrants and non-English speaking persons, persons with disabilities (particularly those with mental illness), the geographically isolated, youth and ex-offenders. Their most frequently experienced problems included those in the areas of transportation, housing, health care and employment. Community stakeholders in the Justice for All assessment affirmed this study's suggestion that working with community partnerships is a key way to increase access to civil legal aid for underserved populations.

[19] Legal Assistance to the Disadvantaged Comm. of the Minn. State Bar Ass'n, *Overcoming Barriers that Prevent Low-Income Persons from Resolving Civil Legal Problems* (Sept. 2011), *available at* www.mncourts.gov/Documents/0/Public/administration/Final_Minnesota-CABS_Study_September_2011.pdf.

Community Integration & Prevention	
Key elements for this component: • *Robust information exchange between organizations, including cross training* • *Community resources integrated into provider services* • *Collecting and sharing information on user experience across providers* • *Collaborative partnerships, including social services providers* • *Community outreach, enabled by a robust communication strategy* • *Early issue identification and proactive, robust referrals in a range of areas* • *Education about dispute resolution without legal action* • *Cross-training between organizations.*	**Minnesota System Strengths:** • Many Minnesota legal aid programs are underway to strengthen relationships with community partners: Co-located services provided through Bank of America-funded projects, medical-legal partnerships, and other projects. • Legal aid does community outreach events. • State Law Library does outreach with public libraries. • Courts have existing Committee for Equality and Justice and "Know Your Court" model where justices do community outreach. • Call for Justice trained 2-1-1 and other social service providers about legal issue-spotting and referrals through Legal Liaison Program (program closed in late 2017). • Some existing court models that integrate community partners, e.g. restorative justice project in Hennepin County.
	Minnesota System Gaps: • Systemic racism and oppression. • Perception that the system isn't there to help people. Lack of trust of judicial system. • Going to court is complicated and intimidating; court forms are hard to use. • Lack of awareness of legal aid and existing self-help materials. • Difficulty qualifying for free lawyer; difficulty affording a private lawyer. • Access barriers for communities of color, people with disabilities, people living in rural areas, and other communities.

Cluster 5.

The component in this cluster included:

- Triage, Referral, & Channel Integration

As with community integration, the steering committee recognized that this area needs significant growth in Minnesota. To complete our assessment of these components, we held a standalone meeting with representation from the Hennepin County Bar Association, Call for Justice,[20] and front-line intake staff from two legal aid organizations who talked about how they complete intake and referral work.

The Legal Services Advisory Committee (LSAC) program manager also presented about a June 2017 report authored by the Legal Services Advisory Committee titled "Analysis of the Civil Legal Aid Infrastructure in Minnesota" that examined client intake and referrals in civil legal services.[21] The timing of this report meant that it could be used as a resource for the Justice for All work, both in collecting data about current client intake and referral and in hearing community voices through focus groups.

Legal Services State Support, a project of the Minnesota Legal Services Coalition, also presented to the committee about its work in this area. State Support operates Minnesota's legal information website, LawHelpMinnesota.org, and a statewide online intake system for civil legal aid. It applied for and received federal funding through the Legal Services Corporation Technology Innovation Grant program, and state funding through Minnesota's Court Technology Fund, to completely redesign the system using a user-centric approach that replicates successful triage and online intake models from other states. Work on this online portal project began in October 2017.

Triage, Referral, & Channel Integration	

Key elements for this component:
• *Identified, consistent triage and referral protocols & practices*
• *Initial triage/assessment and referral by any existing resource (e.g., self-help centers, lawyers, social service agencies)*
• *Effective referrals (i.e. entity can take matter without time, income, or subject matter restrictions precluding service)*
	Minnesota System Strengths:
	• LawHelpMN.org has online legal directory and statewide online intake for legal aid.
	• 2-1-1 makes legal referrals - ~14K referrals/yr.
	• State Law Library and Statewide Self Help Center make referrals.
	• Knowledgeable intake staff and strong local connections in each legal aid program.
	• 2-1-1 trained on making legal referrals.
	• Strengths identified in LSAC Report:
	  ○ Capacity for flexible response to the specific needs of local communities and their diverse populations and circumstances
	  ○ Awareness of local conditions
	  ○ Addressing the needs of specific populations and legal needs
	  ○ Self-help materials and online resources

[20] Call for Justice was a nonprofit that, among other things, trained 2-1-1 information and referral specialists about making legal referrals. Call for Justice closed in late 2017.

[21] John Tull et al., *Analysis of the Civil Legal Aid Intake Infrastructure in Minnesota: Final Report* (June 2017) (on file with author).

• *Central legal aid hotlines, and market-based equivalents for moderate income people, to diagnose legal issues and potential solutions and resolve less complex issues at an early stage* • *Triage supported by technology (self-help portals and case management systems)* • *All stakeholders, including non-traditional ones, aware of referral information.*	**Minnesota System Gaps**: • Duplication: most legal aid programs keep their own referral resource guides, in print or via internal intranet. • LawHelp directory hard to use. • Limited phone availability over lunch or after hrs. • Barriers and costs associated with civil legal aid's access to public court records that impede the efficiency and effectiveness of up-front triage and referral activities, as well as all phases of case evaluation from initial intake through case acceptance and, later, through case investigation. • The LSAC report cited awareness of legal resources, process & technical issues with online intake, delays in responding to applicants, and lack of availability in callback times as gaps in the civil legal aid referral and intake system. It also discussed bounce, including before an applicant reaches legal aid, when an applicant is referred to multiple legal aid programs, and when an applicant has multiple contacts within a program.

Cluster 6.

The components in this cluster included:

- Design, Governance & Management
- Resource Planning
- Technology Capacity

We assessed these components slightly differently than the other components due to a view that these three components are related to all the other components and assessment of the other component clusters would help to inform evaluation of this cluster. Rather than discuss these during the assessment phase with the Steering Committee, the planning team completed an initial assessment of these components on its own and shared its findings with the Steering Committee. During prioritization, the Steering Committee flagged Governance as a high-priority area and dove deeper into this issue in our promising practices research. We also evaluated how governance, resourcing, and technology related to the remaining components during our broader assessment, and again during the action planning phase.

<table>
<tr><th colspan="2">Design, Governance & Management</th></tr>
<tr><td rowspan="2">Key elements for this component:
An established body and processes to address Access to Justice (ATJ) issues
ATJ body includes all relevant stakeholders
Collection of user data and information (through surveys, focus groups, etc.)
User membership on ATJ body</td><td>Minnesota System Strengths:
Minnesota has several existing ATJ structures:
Judicial Council strategic plan includes Access to Justice, including expansion of pro bono; supports civil legal aid funding at the legislature.
Legal Services Advisory Committee (LSAC) administers funding and leads statewide civil legal aid planning efforts.
Judicial Administrators and Directors (JAD) group and the Court Operations Advisory Workgroup (COAW) manage creation of statewide forms and of Statewide Self-Help Center.
Seven regional civil legal aid programs form the Minnesota Legal Services Coalition, which works to fund statewide projects, secure state appropriation, fund ATJ Positions at the MSBA, and coordinate bi-monthly meetings of legal aid partners.
The MSBA’s Legal Assistance to the Disadvantaged (LAD) Committee recommends rule and policy changes to support access to justice, promotes pro bono service, and supports increased resources for civil legal aid. All initiatives must be approved by the MSBA Assembly.</td></tr>
<tr><td>Minnesota System Gaps:
No Access to Justice Commission. There had been a separate Legal Services Planning Committee from 2005-2011, but the supreme court sunset it and moved the planning responsibilities to LSAC.
Justice for All planning effort has demonstrated need for courts, legal aid, private bar, and non-traditional justice system stakeholders to improve communication and coordination
Limited community involvement in existing ATJ initiatives</td></tr>
</table>

Resource Planning	
Key elements for this component: • *Staffing position dedicated to resource planning* • *Existence of an updated resource budget*	**Minnesota System Strengths:** • Legal Services Advisory Committee (LSAC) administers $17 million in funding per biennium. • Minnesota Legal Aid Foundation Fund was created for statewide cy pres and settlement awards to benefit all programs and voluntarily gives its annual earnings to LSAC. • The MSBA, legal aid, and the Minnesota Judicial Branch all lobby for civil legal aid funding at the legislature. • Civil legal aid programs receive funding from LSC and other federal sources. • New Court Technology Fund available to all justice system partners. • Greater Twin Cities United Way has organized a legal aid funders circle in the Twin Cities.
	Minnesota System Gaps: • No staffing position dedicated to resource planning. • Opportunity for increased coordination of resource planning efforts.

Technology Capacity	
Key elements for this component: • *User experience design expertise* • *Multimedia design expertise* • *Application integration expertise* • *Process simplification expertise* • *Facilitates remote access and resolution.*	**Minnesota System Strengths:** • MLSC & LSAC support statewide technology projects via State Support. • Most legal aid programs have electronic case management systems. • Innovative use of technology at legal aid & courts. • Legal aid has strong online presence, including online advice, advocate support site, and site for the public.
	Minnesota System Gaps: • Legal aid programs use different case management systems. • Significant limitations with existing statewide online intake platform (to be remedied in 2018).

III. Prioritization

Prioritization Summary

Following our assessment, the next step of our Justice for All project was prioritization. While recognizing every Justice for All component is an important, if not essential, piece to providing access to justice in Minnesota, the question became how to decide which areas to advance first. With limited resources, which areas were our top priorities for the next 2-3 years?

Starting with the NCSC guidance materials, the Steering Committee developed a list of prioritization criteria values:

- Is it something we can accomplish?
- Will it enable us to serve more people?
- Will it improve trust in the civil justice system?
- Will it leverage our strengths?
- Will it address our weaknesses?
- Will it have significant benefits at a reasonable cost?
- Will it have broad reach across the civil justice system?
- Will it respond to the most important needs of the community?

After developing these values, we had a general discussion where we asked these questions of each component (see below chart "Prioritization Takeaways for Each Component" for summary).

Because the JFA components are so different in scope and nature, these criteria ended up serving more as guiding principles than a strict grading rubric. We did not attempt to quantify or fully rank the components by importance. The planning team felt this exercise was unnecessarily complicated: having a detailed ranking would not be more helpful to the broader discussion, and the final list would likely have low consensus among the Steering Committee. Rather, we decided to create three categories to signify importance: **Target Areas**, **Sustaining Areas**, and **Low-Priority Areas**. (See the chart to the right titled "Prioritization Groupings.")

Target Areas are high-priority and need additional attention, planning, and structure beyond what we are

Prioritization Groupings

Target Areas

These high-priority components need additional attention, planning, and structure beyond what we are currently doing:

- Design, Governance & Management
- Community Integration & Prevention
- Unbundled (Discrete Task) Legal Assistance
- Triage, Referral & Channel Integration
- Simplification

Sustaining Areas

These areas need support to continue expanding the good work currently being done through existing channels & structures:

- Resource Planning
- Technology Capacity
- Judicial & Court Staff Education
- Broad Self Help Informational Services
- Plain Language Forms
- Language Services Integration
- Alternative Dispute Resolution Integration
- Compliance Assistance
- Expansion & Efficiency Improvements of Full Service Representation

Low-Priority Areas

These areas are not feasible for additional development in Minnesota at this time, but will be revisited at a future date:

- Courtroom Assistance Services
- Role Flexibility for Other Professionals

currently doing. **Sustaining Areas** need support to continue expanding the good work currently being done through existing channels & structures. **Every component identified as a Target Area or Sustaining Area needs support.** The Target Areas are differentiated by the fact that they need additional, more urgent action than is currently underway in the civil justice system in the Sustaining Areas.

Low-Priority Areas are those areas that were identified as not currently feasible for additional development in Minnesota at this time, but would be revisited in the future.

Prioritization Takeaways for Each Component

Design, Governance & Management

Minnesota has access to justice governance structures for the courts, the bar association and many of the civil legal aid providers. The Steering Committee has wrestled with whether to recommend disbanding some of the existing committees in favor of a new overarching governance structure. The existing structures have achieved much in terms of access to justice measures, including ongoing state legislative funding, strong language access, statewide forms, and self-help resources, and the Minnesota Supreme Court favors maintaining these structures.

While these existing governance structures provide a strong foundation for access to justice work in Minnesota, the Steering Committee felt additional governance was needed to continue the work completed in 2017 through the Justice for All project. Specifically, the steering committee wanted to ensure a continuation of bringing resources to the access to justice project and robust communication among the Minnesota Judicial Branch, civil legal aid, and the private bar after the grant term ends.

Community Integration & Prevention

Community trust and understanding of both rights and responsibilities in civil legal matters create a foundation for all other systemic supports, including improved triage, referral and channel integration, self-help informational services, use of language services and plain language forms and courtroom assistance services.

Many legal aid and other partner organization efforts are underway to co-locate services within communities and strengthen community partners. Our community stakeholders, however, said that for many members of our communities, particularly low income, communities of color and immigrant communities, civil justice is lacking. Community stakeholders in the Justice for All assessment affirmed that more work with community partnerships is needed to increase access to civil legal aid for underserved populations.

Unbundled (Discrete Task) Legal Assistance

The Steering Committee saw the lack of affordable legal services for low- and moderate-income people over civil legal aid income guidelines as a significant gap in our current system. Minnesota, like many states, sees a large gap between the people who qualify for and receive services through legal

aid, and those who can afford to hire a private lawyer for their case. We see unbundled legal assistance as the most realistic, cost-effective way to help serve low- and moderate-income people with civil legal needs, particularly in family law.

Minnesota's professional responsibility rules support unbundled representation,[22] and our Office of Lawyers Professional Responsibility routinely educates attorneys about Minnesota's rules and promotes unbundled as a promising solution to help address the justice gap.[23] Only a small number of practitioners, however, actively advertise unbundled services to the public and promote their unbundled practice as a successful business model within the private bar. There is no easy referral mechanism between the court self-help services and attorneys providing unbundled services because the current attorney referral services are based on a traditional practice model.

Triage, Referral & Channel Integration

Triage, referral, and channel integration is a strategic goal for Minnesota because it is feasible, it will increase efficiency and reduce duplication of effort across the system, create a better first point of access for people with civil legal needs, and help move toward some level of meaningful service for everyone. Minnesota has a complex system of civil legal aid programs, litigant support through the MJB, and other resources available to help people with civil legal needs.

The analysis of the Civil Legal Intake Structure identified lack of knowledge about legal aid and "bounce" as significant issues in our referral system.[24] Helping people navigate this system is a necessary step in achieving the "access" outlined in Resolution 5.[25]

Simplification

Simplifying court processes will have a high return on a relatively minimal investment. Rule changes have a broad reach in Minnesota because of our unified statewide court system. The Alaska early resolution triage model, for example, saves time for both SRLs and court staff.[26] Replicating this program or pursuing other rule changes to simplify court processes will benefit many litigants at a relatively low cost.

Simplification efforts are also feasible given current priorities and similar projects already underway at the Minnesota Judicial Branch (MJB). With the transition to eCourtMinnesota in 2015 resulting in all district courts being on the same case management system and capable of accepting electronic filing, the MJB has already started thinking creatively about how to do its work in the most efficient

[22] Rule 1.2(c), Minnesota Rules of Professional Conduct (MRPC).
[23] *See, e.g.,* Susan Humiston, *Ethically Unbundling Legal Services*, BENCH & BAR, Oct. 2017, *available at* http://mnbenchbar.com/2017/10/ethically-unbundling-legal-services.
[24] *See supra* note 21.
[25] "*Access to* effective assistance for their essential civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services" (emphasis added). Conf. of Chief Justices & Conf. of St. Ct. Administrators, *supra* note 1.
[26] Stacey Marz, *Faster for Self-Represented Litigants and the Court: An Evaluation of Alaska's Early Resolution Triage Program*, *available at* www.alaskabar.org/servlet/download?id=3577.

and effective manner. This work fits well with additional reengineering efforts currently underway at the MJB through its oneCourt regional specialization initiative.

Focusing on this component will also improve litigant trust in the civil justice system. Simplifying court processes will make going to court easier for self-represented litigants (SRLs), as well as free up limited resources at legal aid offices.

Resource Planning

While recognizing that legal services is always in need of additional funding, strong resource planning infrastructure already exists in Minnesota through the Legal Services Advisory Committee, coordinated statewide lobbying efforts through the Minnesota Legal Services Coalition, and the MSBA Legal Assistance to the Disadvantaged community. Although this is not a standalone focus area, we do have resource planning woven in to our initiatives.

Technology Capacity

We did not view technology capacity as a component to focus on in and of itself, but instead recognized throughout our planning that technology will play a key role in most, if not all, initiatives and proposed solutions.

Judicial & Court Staff Education

Even though one of our key JFA initiatives has a judicial training component, and other initiatives will also involve judicial training, we did not view this as a focus area on its own because Minnesota has a strong training system currently in place for judges and court staff. We do not need to start from scratch, but rather can build on existing programs with a JFA focus.

Broad Self Help Informational Services

The State Law Library, Legal Services State Support, Attorney General's office, and Statewide Self Help Center have already developed an expansive library of self-help information and resources on civil legal issues. The amount of content is a strength of the Minnesota system, but access to this content will be improved with the Triage and Channel Integration initiative.

Plain Language Forms

Minnesota has had statewide forms used throughout the unified court system for more than a decade. In 2017, Minnesota Judicial Branch created a position in the courts solely devoted to improving the plain language and accessibility of court forms, both static and intelligent. Again, this is a strength of the Minnesota system, but access to forms will be improved with the Triage and Channel Integration initiative.

Language Services Integration

Minnesota is a national leader in access to justice for people with limited English proficiency;[27] legal services and the Minnesota Judicial Branch already prioritize and designate resources to this area. This will continue to be part of JFA work going forward.

Alternative Dispute Resolution Integration

While we recognize that ADR is not as well-resourced in Minnesota as it is in other states and this is an area for growth, the steering committee felt that it made more sense to work to initially focus on how to integrate ADR in to the triage and channeling work while also expanding community outreach by partnering with Community Dispute Resolution Programs that provide free and low-cost services and have outreach to underserved communities as a priority. Therefore, one of our JFA initiatives described below has ADR as a primary focus.

Compliance Assistance

The Judiciary Subcommittee of the Minnesota State Bar Association Legal Assistance to the Disadvantaged committee[28] has focused on compliance assistance in recent years, and the MJB is already doing some work in this area. This will also be integrated into the JFA initiative on judge training.

Expansion & Efficiency Improvements of Full Service Representation

While recognizing full representation is a core component of the civil justice system, and we only partially provide full representation for those eligible, legal aid already has structures in place to seek funding and support for expansion of its full representation work. Because unbundled services are such an area of growth for the private bar in Minnesota, the steering committee felt it made more sense to prioritize unbundled services over further expanding full representation at this time.

Courtroom Assistance Services

The MJB's MNCIS system has expanded online access to case records for SRLs. While Minnesota does not have any court navigators, there are many in-person self-help centers as well as a statewide self-help center is available to all litigants via phone and email. Videos are available in multiple languages on going to court in Minnesota. The steering committee felt additional work in this area was not feasible in the short term given current priorities within the civil justice system, and thought other components offered less expensive alternatives for improving access to justice.

[27] *See supra* note 17.
[28] *See supra* note 6.

Role Flexibility for Other Professionals
This did not emerge as a focus area because it is not currently feasible. The MSBA Alternative Legal Models Task Force completed research and developed proposals for limited license legal technicians and expanded roles for paralegals, but both proposals were voted down by the broader MSBA assembly in 2017.

IV. Action Plan

From the assessment process, the project partners narrowed the focus to five targeted components for further research on promising practices. Small teams were formed to investigate information and ideas for implementation to be shared at the stakeholder summit meeting in October. This meeting included the members of the steering committee plus community partners. Participants reviewed the research and recommendations, then participated in an in-depth discussion on the component of their own choosing. Below are the strategic goals and key initiatives that we developed from this research, stakeholder discussions, a second prioritization process, and final approval by the Steering Committee.

The final set of goals and initiatives submitted:

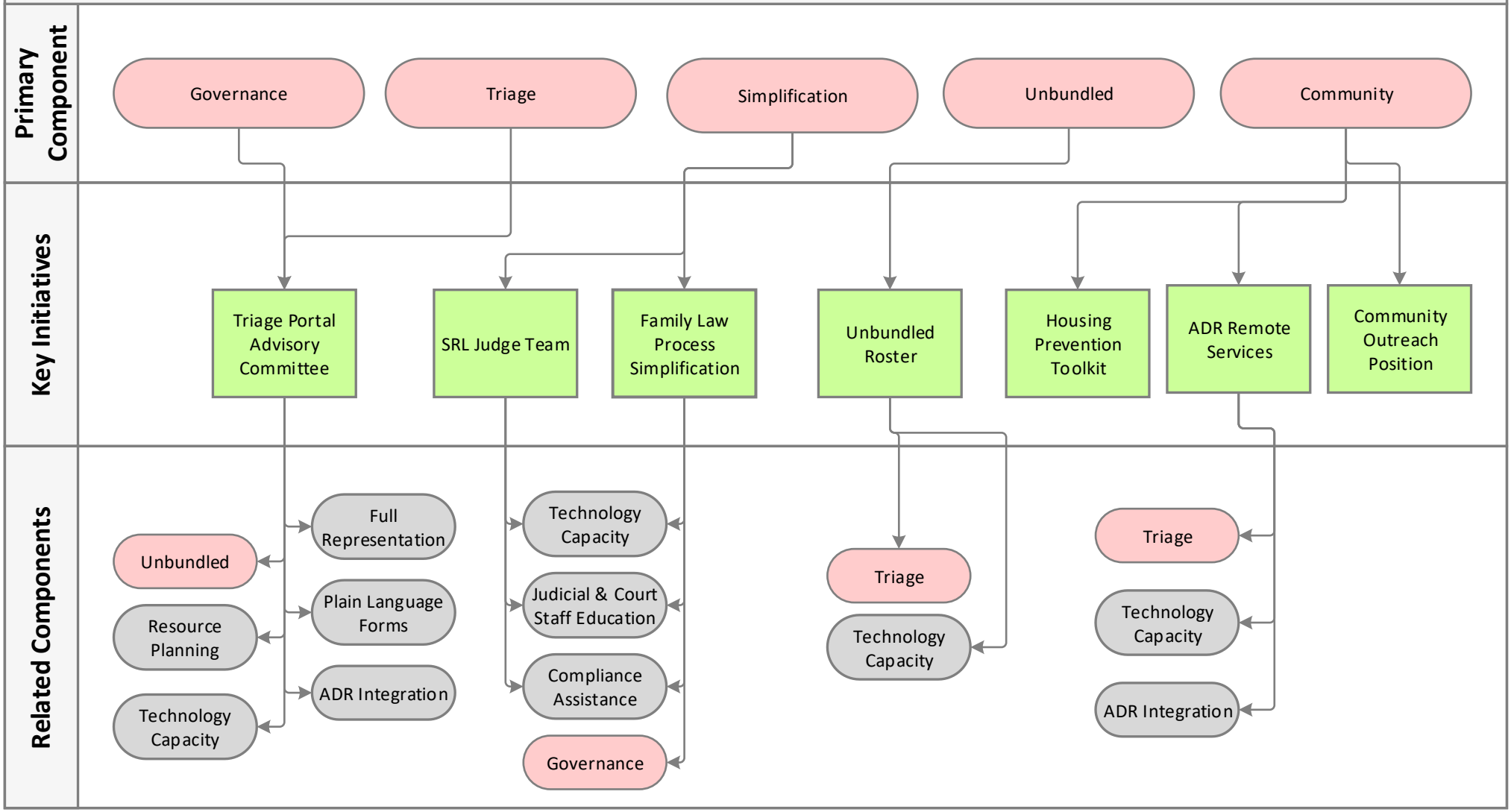
- Address the recommendations of the Steering Team and Stakeholder meetings
- Are feasible with current or reasonable additional funding
- Have the support of the MJB and align with the MJB's strategic plan
- Provide a logical next or first step given past and current work

Strategic Goals

Simplification	Simplify family law court processes to both (1) maximize efficiency and resources within Minnesota Judicial Branch and (2) improve litigant usability, trust and confidence in the civil justice system.
Unbundled (Discrete Task) Legal Assistance	Increase the number of attorneys providing discrete task (also referred to as "limited scope" or "unbundled") representation to low- and middle-income people with civil legal needs through a robust and effective referral system.
Triage, Referral, & Channel Integration	Create a "no wrong door" system through which people with legal civil legal needs access legal information, self-help resources, and legal providers, through a user-centric approach that places the burden on the system to provide the best referral at the outset.
Community Integration & Prevention	Integrate legal information, resources and referrals into community settings through co-located services, community collaboration and prevention efforts that build trust and decrease the number of civil court cases, with a specific focus on the prevention of housing evictions across Minnesota.
Design, Governance & Management	Increase communication across existing governance structures to implement the Justice for All projects and create a new governance committee specific to the litigant portal work.

The following page presents an outline showing how the key initiatives (in green) relate to these target areas (in pink) and other components. Following the outline, each key initiative is discussed in turn, including why it was chosen as a priority action, the current state and desired future state, how the community will be involved, resources needed and the initial evaluation and communication plans.

Priority Areas & Key Initiatives



Triage Portal Advisory Committee

Current State

The state courts, bar association and civil legal aid all maintain separate websites. These websites link to each other, but do not share user data or provide any triage logic to assist users with navigating to the best available resource. In addition to the public facing websites, each stakeholder also separately maintains its own referral lists. This means that there is staff time spent at each civil legal aid program, the statewide self-help center, law libraries, and bar associations creating and maintaining referral lists. When new services are created or existing services end, there is no easy way to inform all stakeholders.

Future State

The vision is to create a governance structure focused on a triage portal that would be the primary online referral site for people with legal issues, regardless of income level. The database that feeds the triage portal would be updated to include information from all primary stakeholder groups and would have a component for partners to generate up to date legal referrals without having to maintain their own lists. The governance committee would make policy recommendations related to the online triage system and referral database.

JFA Action Item

Convene a Triage Portal Advisory Committee (Advisory Committee) governance structure to coordinate the work already being done to redesign the civil legal aid online intake system with additional court self-help, ADR and private bar resources and to ensure there are sufficient new resources developed for the long-term success of this project.

Why It's a Priority

Learning from the work of the NCSC Litigant Portal Workgroup, it is critically important that our triage portal have a clear governance component. There are many policy issues that have not yet been resolved in Minnesota, including defining the roles of lead agency for the portal. For example, the technological work that is already underway is through Legal Services State Support, but the resources for clients above legal aid funding guidelines are coming from the Minnesota Judicial Branch. Having the governing body ready to address these and other policy decisions as the portal development gets underway will be very important to its overall success.

Community Involvement

Community representatives from United Way 2-1-1 would be members of the Advisory Committee. Other community involvement would be in work groups for design and user testing.

Related Components

Design, Governance & Management

Community Integration & Prevention

Unbundled (Discrete Task) Legal Assistance

Triage, Referral & Channel Integration

Simplification

Resource Planning

Technology Capacity

Judicial & Court Staff Education

Broad Self Help Informational Services

Plain Language Forms

Language Services Integration

Alternative Dispute Resolution Integration

Compliance Assistance

Expansion & Efficiency Improvements of Full Service Representation

Courtroom Assistance Services

Role Flexibility for Other Professionals

Resources Needed
Funding for a .25 FTE in providing staffing support to the Advisory Committee. The funding would be sustained by LSAC, ideally through a dedicated pro hac vice fee, which is under consideration.

Performance Measures
- Amount of funding the Advisory Committee is able to dedicate to the triage portal work and supporting related JFA projects
- One of the tasks of the Advisory Committee would be to create performance measures for the triage portal itself.[29]

Communications
The Advisory Committee would need to be very intentional about its communications plan. It will need to have regular communications (e.g., newsletter) with stakeholders to maintain excitement and commitment to the triage portal project. As the portal gets closer to implementation, the Advisory Committee would be tasked with creating an outreach strategy. Communications about the JFA project initiatives will also be included in the overall communication effort Minnesota will be coordinating with the Voices for Civil Justice staff.

[29] See Rebecca Sandefur, Increasing Access to Justice through Expanded "Roles Beyond Lawyers": Preliminary Classification Frameworks (2015), *available at* www.americanbarfoundation.org/uploads/cms/documents/rbl_evaluation_and_program_design_frameworks_4_12_15.pdf, for a discussion of designing evaluation criteria in access to justice initiatives.

SRL Judge Team

Current State

Minnesota Judicial Branch requires judges to receive 45 hours of continuing education credits every three years, and a wide variety of training opportunities are organized by the Judicial Education Manager and her staff. Courses on working with self-represented litigants are regularly offered, but the trainers change, and content varies year by year.

Future State

The vision is for the Minnesota Judicial Branch to be a national leader in training for judges working with self-represented litigants.

JFA Action Item

Create a Self-Represented Litigant Judge Team to train judges and be a resource for the Minnesota Judicial Branch on best practices for working work with self-represented litigants.

Why it's a Priority

Taking advantage of the judicial leadership that has emerged from the first phase of the JFA project, this is an opportunity to improve the quality of training on self-represented litigant issues and have a team of judges able to advocate for best practices in this area. The Minnesota Judicial Branch has a successful model where a team of judges trained on best practices in domestic violence cases then provide training to benefit judges statewide, and replicating this model for self-represented litigant services will help to prioritize the JFA work.

Community Involvement

There is an opportunity to create a series of training videos with self-represented litigants talking about their experience and how it could be improved. This would provide the community voice as judges are learning from one another about how to best work with self-represented litigants.

Resource Needs

Funding for a team of five judges to attend national self-represented litigant training and pay for retired judges to assist with their work while the judge team is out of the office for training. Once the judge team is in place, the Judicial Branch will pay for the ongoing costs related to these trainings in the future.

Performance Measures

- Tracking the number of judges trained
- Tracking the responses in the Minnesota Judicial Branch Access and Fairness Survey to see if there is an improvement in results after the training has been provided

Related Components

Design, Governance & Management

Community Integration & Prevention

Unbundled (Discrete Task) Legal Assistance

Triage, Referral & Channel Integration

Simplification

Resource Planning

Technology Capacity

Judicial & Court Staff Education

Broad Self Help Informational Services

Plain Language Forms

Language Services Integration

Alternative Dispute Resolution Integration

Compliance Assistance

Expansion & Efficiency Improvements of Full Service Representation

Courtroom Assistance Services

Role Flexibility for Other Professionals

Communications
Communications about the JFA project initiatives will also be included in the ongoing communication effort Minnesota will be coordinating with the Voices for Civil Justice staff.

Family Law Process Simplification

Current State

Minnesota has invested significant resources in creating family court forms and providing self-help services throughout the state. Less work has been done on simplifying the court process that begins once those forms are filed. Minnesota does have Early Neutral Evaluation services in some counties, but many rural areas have not found a way to make that model fit due to lack of local resources.

Future State

The vision is for simplified family court processes in Minnesota for cases involving two self-represented litigants, including an informal domestic relations trial process. There would be services statewide to assist with the effort, including the ability to receive pro bono assistance and appear in court remotely, to ensure that rural areas are able to see full benefits of the simplification effort.

JFA Action Item

Recommend simplified family law processes in conjunction with Early Case Management work underway in State Court Administration and develop a pilot project.

Why It's a Priority

There was consensus among the Steering Committee and the stakeholders attending JFA events that this is an area of need. The current family court process (outside of expedited child support) was designed by lawyers for lawyers. With more than 90% of family cases having at least one self-represented party at some stage of the case, it makes sense to try to design a process that is simplified when that is appropriate (e.g., not domestic violence cases). The Alaska model was of great interest to the Steering Committee, especially the judges, and Minnesota would like to benefit from their experience, especially in reaching rural areas with a full range of services at the front end of the case.

Community Involvement

The private bar will be involved with the project for the expansion of pro bono and feedback on recommended court rule changes. Self-represented litigant feedback would be part of the pilot project effort to improve the user experience before expanding to other parts of the state.

Resources Needed

Having a portion of a State Court Administration staff person's time to coordinate the simplification effort would ensure that the project is integrated in to business operations and staff training. There will be more detail on the amount requested in the implementation grant application.

Related Components

Design, Governance & Management

Community Integration & Prevention

Unbundled (Discrete Task) Legal Assistance

Triage, Referral & Channel Integration

Simplification

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Performance Measures

- Reduction in post-trial motions filed by litigants
- Increase in satisfaction levels of SRLs about their court experience
- Reduction in court staff time

Communications

Communications about the JFA project initiatives will also be included in the ongoing communication effort Minnesota will be coordinating with the Voices for Civil Justice staff.

Unbundled Roster

Current State

The Minnesota State Bar Association (MSBA) maintains a referral list for their members who choose to participate through www.mnfindalawyer.com. The district bar associations for some of the larger counties in the state provide attorney referral services by phone, including some lower fee services for people of modest means (usually defined as 300% of poverty or below). None of these attorney referral services maintain a roster specific to unbundled services. Most attorneys interviewed during the JFA unbundled focus groups reported not advertising unbundled as part of their practice, which makes it very difficult to refer people who could benefit from this service to appropriate attorneys.

Future State

The vision is for a high volume of self-represented litigants to be referred to appropriate unbundled services, providing a market based solution for people in need at a cost they can afford and a reliable referral source for attorneys who choose to make unbundled a significant portion of their practice.

JFA Action Item

The state and district bar associations would coordinate rosters of private attorneys willing to provide unbundled services accessible both for online users and phone users. For people who access services online, this would be connected to the triage portal. For people who contact legal aid or the court statewide self-help services via phone, they would be referred to the attorney referral services via phone. It is a "no wrong door" approach for people who are over the income guidelines for civil legal aid, but who can benefit from limited scope services. For the online system, users who are referred from the triage interview will have the information they have already entered in the system passed to the bar association roster, including case type, geography and income level, so that the user doesn't have to answer all the same questions again. The bar associations would have training requirements for participating attorneys and would commit to public education regarding the purpose and availability of unbundled service.

Why It's a Priority

Minnesota has had favorable court rules in place allowing for limited scope services since 2005, but the lack of attorneys advertising unbundled services and insufficient referral systems has made it difficult to match unbundled services with people who need it (particularly self-represented

Related Components

Design, Governance & Management

Community Integration & Prevention

Unbundled (Discrete Task) Legal Assistance

Triage, Referral & Channel Integration

Simplification

Resource Planning

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litigants above income guidelines for legal aid limited scope clinics). This is an area for significant growth in our state.

Community Involvement
JFA Steering Committee has conducted focus groups with self-represented litigants to get their input on the need for unbundled services and how to best market the services. This outreach would continue with community members who would help with user testing of the online system as it is developed.

Resources Needed
Funding for development of the online roster, outreach to attorneys and outreach to community; bar associations would provide staffing and sustaining funding for the effort

Performance Measures

- Tracking the number of unbundled referrals to each of the bar association partners
- Tracking the success of the referrals with information back from participating attorneys
- Measuring customer satisfaction with the service through a research sample of participants

Communications
The bar association is planning a communications effort directed at potential consumers of the unbundled service. Communications about the JFA project initiatives will also be included in the ongoing communication effort Minnesota will be coordinating with the Voices for Civil Justice staff.

Housing Prevention Toolkit

Current State

Rural housing cases are primarily SRLs with advice only due to short lead times, fewer available attorneys and long travel distances. 93% of eviction cases are for non-payment of rent, and the average amount of money owed is under $1500. Understanding of rights and responsibilities on the part of both tenants and landlords is lacking.

Future State

The vision is for legal services to work in partnership with tenants, landlords, government services, mediation and community services through effective education and access to services for tenants (mediation, financial help, legal advice) to maximize the number of housing disputes that can be resolved without an eviction being filed.

JFA Action Item

Community outreach and partnering through one coordinator's work in Northeastern Minnesota has moved toward zero evictions in this region. The project will gather in one place the resources and templates that have worked in this region and include other successful practices in use in rural Minnesota. The toolkit will be piloted in at least one other rural area and evaluated in the pilot for its help in reducing eviction cases. Feedback will be incorporated to create a final toolkit, which can be promoted statewide and made available to other states.

Why It's a Priority

Minnesota has a statewide initiative focused on ending homelessness. Minnesota housing shortages mean even first evictions can translate to homelessness. Stable housing is cited as one of the most critical "upstream" social determinants affecting families and children's health, education and safety. Evictions "travel" with those affected, impacting future employment and future housing opportunities.

Community Involvement

This project will be focused on community involvement, drawing from the experiences of one region's successful community partnering practices and encouraging other communities to build community partnerships through the tools provided.

Resources Needed

Funding for the development and piloting of the toolkit in one or more rural area as resources allow.

Related Components

Design, Governance & Management

Community Integration & Prevention

Unbundled (Discrete Task) Legal Assistance

Triage, Referral & Channel Integration

Simplification

Resource Planning

Technology Capacity

Judicial & Court Staff Education

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Performance Measures

- Successful pilot of the rural Housing Court prevention toolkit as measured by qualitative feedback on the toolkit pilot(s) – Year 1
- Track the number of rural communities who use the toolkit and survey feedback on its effectiveness in their efforts to reduce eviction cases through community prevention
- Track number of eviction cases, year over year, in Minnesota to see if eviction cases are being reduced in areas using the toolkit and compare this to other areas not using the toolkit.

Communications

Part of the toolkit will be focused on communications. One key message for launching this project is that it will gather good practices from across the State.

ADR Remote Services

Current State

Minnesota has six Community Dispute Resolution Programs in eight counties, with services focused in the metro area and some regions in the northeastern and southwestern portions of the state. These programs provide free and low-cost dispute resolution services using supervised volunteer mediators. The Community Dispute Resolution Programs provide mediation services for a wide range of civil disputes including neighbor to neighbor, landlord tenant, small business disputes and family members including juveniles and elders. By state statue they are prohibited from providing services in divorce proceedings, but they do cover post-divorce and never married parenting time mediations. The current service model is for telephone based intake case management followed by in-person mediation services. This has limited the ability to provide mediation services outside the eight county areas where their offices are located.

Future State

The vision is to make free and low-cost mediation services available in all 87 counties in Minnesota. This capability will include a centralized website and 1-800 number for individuals from anywhere in Minnesota to submit a mediation request. These requests then will be referred to mediation. In this future state the 400+ volunteer mediators will be able to respond to any Minnesotan requesting mediation either in person, or using remote conferencing. This statewide capability to access a mediation requests will be integrated in the Triage Portal so that people who could benefit from mediation will be made aware about the option for ADR before proceeding with litigation.

JFA Action Item

Fund Community Dispute Resolution Programs capacity to provide remote mediation services to expand statewide reach and better connect with community partners in underserved areas.

Why It's a Priority

The Community Dispute Resolution Programs have a service that is not well integrated with the existing civil justice system partners. In discussions about reaching new community partners and having a full range of services available through the triage portal, the Community Dispute Resolution Programs have asked how they can better connect through the JFA efforts. Their idea of providing statewide remote services and outreach fills a gap and helps reach the goals of better coordination and providing services that are not limited by geography.

Related Components

Design, Governance & Management

Community Integration & Prevention

Unbundled (Discrete Task) Legal Assistance

Triage, Referral & Channel Integration

Simplification

Resource Planning

Technology Capacity

Judicial & Court Staff Education

Broad Self Help Informational Services

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Role Flexibility for Other Professionals

Community Involvement

The six Community Dispute Resolution Programs recently entered into a joint venture agreement. Part of the mission of this new organization is to increase statewide access to mediation. As a part of this work they are reaching out to community partners in all 87 counties. Through an outbound calling campaign, local agencies have been identified to act as referral partners. In each county we are reaching social services providers, faith based organizations as well as local county help desks for outreach to clients that would be appropriate for mediation. This aligns with JFA efforts to connect with stakeholders outside of the courts, civil legal aid and the private bar.

Resources Needed

Funding for an implementation grant to buy the hardware and accessories for each location for remote mediation services through Community Mediation Minnesota and to provide outreach about the new service. Continuing funding would be provided by LSAC if the initiative is successful.

Performance Measures

- Tracking the number of community partners reached through the expansion effort
- Tracking the number of mediators trained to conduct remote mediations
- Tracking the number of people served by remote ADR

Communications

Community Mediation Minnesota is developing an outreach and communication plan. Communications about the JFA project initiatives will also be included in the ongoing communication effort Minnesota will be coordinating with the Voices for Civil Justice staff.

Community Outreach Position

Current State

While civil legal aid and the courts have many different community-based initiatives underway, there is no statewide position currently devoted to community integration and prevention within the civil justice system.

Call for Justice was a nonprofit that did training of United Way 2-1-1 referral and information specialists and held legal liaison programs educating social service providers about legal issues and providers. Call for Justice closed in late 2017, and worked with the Hennepin County Bar Association to continue its legal liaison program work in the Twin Cities metro area.

Future State

We envision a future state that expands outreach and communications efforts between the civil justice system and community partners, including social service providers. Communities across Minnesota will have better access to legal information, resources, and services to help resolve civil legal problems. Social service providers and community leaders will be able to better issue-spot legal issues, and make better referrals to legal aid and other resources when appropriate.

JFA Action Item

In addition to the Housing Prevention Toolkit and ADR Remote Services initiatives, we see an additional action item to staff general community integration and prevention work, with a focus on Greater Minnesota. This position would start as a part-time position that would continue the work started at Call for Justice to connect social service providers with legal resources and providers and support the implementation of the Housing Prevention Toolkit. The project partners propose this position to exist at Legal Services State Support, a statewide project of the Minnesota Legal Services Coalition.

Why it's a Priority

During the assessment, project partners received clear feedback from community-based participants that the civil justice system needs to increase its coordination and outreach with nontraditional justice system partners. This position will ensure that community involvement also continues to move forward as the Justice for All work and related efforts gain momentum in the next few years.

Related Components

Design, Governance & Management

Community Integration & Prevention

Unbundled (Discrete Task) Legal Assistance

Triage, Referral & Channel Integration

Simplification

Resource Planning

Technology Capacity

Judicial & Court Staff Education

Broad Self Help Informational Services

Plain Language Forms

Language Services Integration

Alternative Dispute Resolution Integration

Compliance Assistance

Expansion & Efficiency Improvements of Full Service Representation

Courtroom Assistance Services

Role Flexibility for Other Professionals

Community Involvement
Community involvement will be central to this initiative – community stakeholders will help identify their substantive training needs and the areas where this work will be most impactful.

Resource Needs
This position needs kickoff funding for a .25 FTE position and will be sustained LSAC grants that had previously been granted to Call for Justice.

Performance Measures

- Survey of social service providers and community leaders' understanding and awareness of issues and resources within the civil justice system before and after outreach activities
- Volume and quality of referrals to legal aid from social service providers

Communications
Communication channels outside of traditional civil justice system channels will be critical to this initiative. The staff funded by this position will need to create a communications plan that reflects the communities they are trying to reach. This will likely involve a combination of social media platforms and in-person outreach.

V. Communications Plan

Our communication plan is set up in three phases for 2018. The first phase is "Establishing Resources for Implementation." We will keep communications within the working committees during this phase as we are completing the Strategic Action Plan and while 2018 initiatives are being finalized and resourced. The second phase is "Announcing the Plan." This phase will begin when resources are confirmed, likely at the beginning of February. This Strategic Action Plan will be announced, posted and communicated more broadly through the judicial, legal aid and other related service communities. The third phase will be to weave ongoing communication on the Access to Justice priorities and plans into the community.

Phase 1: Establishing Resources for Implementation – January 2018

While we have broad agreement on the priorities and strategic goals for our plan, we will be working to secure resources for launching the initiatives in 2018. During this time, the communications will be focused to the Steering Committee and the Chief Justice.

Key Messages

- Ensuring alignment on our five strategic goals
- Preparing proposals for implementation grants and other funding
- Communicating with recipients of funds to identify roles, plans and evaluation strategies
- Extending appreciation to key stakeholders for their work over the past 12 months
- Meeting with the Chief Justice to determine messages and method to communicate the plan through the judicial system

Phase 2: Announcing the Plan – February 2018

When resources have been determined for implementing proposed initiatives, we will finalize our plan and announce it to the civil justice community, including the Minnesota Judicial Branch, civil legal services, and the private bar. The JFA Plan will be announced through the following communications:

- Announcement to the Steering Committee with a summary of next step communications
- Plan with letter of appreciation to all stakeholders participating in the planning process
- Plan communicated throughout the judicial system
- Plan posted on www.mnlegalservices.org and www.mncourts.gov
- Meetings to discuss the plan in February 2018

Key Messages

- Why access to justice is important for Minnesota
- 5 key priorities/strategic goals
- 2018 Initiatives
- Evaluation plans
- Where to send comments and feedback
- How to get/stay engaged in this effort

Phase 3: Ongoing Communications – June, September, and December 2018

Keeping the JFA plan visible in the legal and judicial communities is a final and ongoing step of communications for our work. In this phase, we want to establish quarterly communications on the implementation and evaluation of our efforts, starting 2nd quarter, 2018. It will be important to maintain awareness of our strategic goals, to evaluate the work underway, and to modify the plan as we implement.

The key audiences for this phase of our communications will be the primary stakeholder groups involved in the planning work, the Judicial branch and the Implementation grant recipients.

Communication Vehicles:

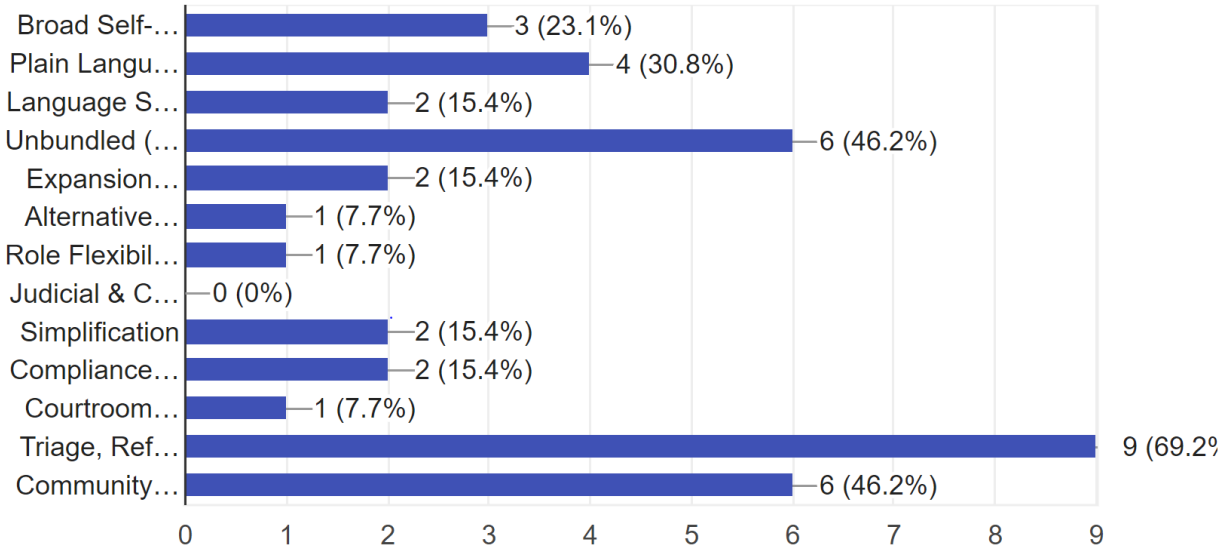
- Minnesota Legal Services Coalition blog and monthly newsletter
- Bi-monthly legal aid partner meetings
- MSBA LAD Committee, pro bono council, and assembly meetings
- Direct emails to key stakeholders
- Community meetings
- Judicial Branch newsletter "Branching Out"
- Judicial Branch annual report
- Work with the Court Information Office of the Judicial Branch to work on getting more information in legal and other media outlets.

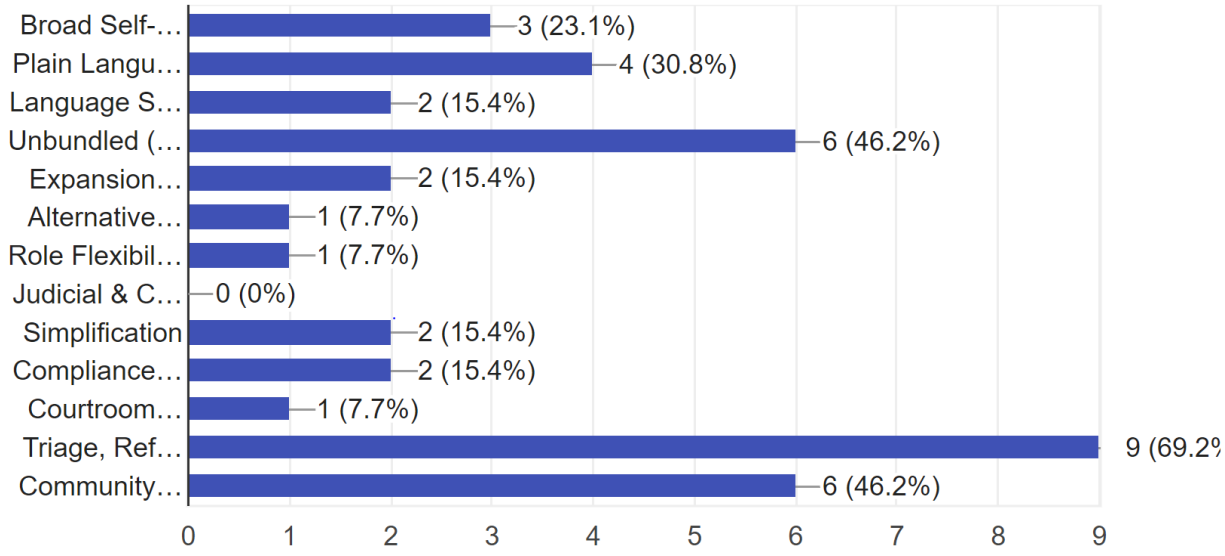
Conclusion

Minnesota civil justice system stakeholders are committed to steady progress towards the Justice for All goals. This strategic plan is the result of many people from across the state who provided important feedback and input into the project. The initiatives described in this report will result in expanded legal services for many Minnesotans and real changes in how partners work together to create a more user-friendly system. The JFA process has led to real commitments on the part of the courts, civil legal aid and the private bar to stretch beyond the usual stakeholders and integrate even more with the community. This plan is intended to complement and supplement a wide range of current efforts already in place or underway in Minnesota to ensure that all Minnesotans have access to effective assistance for their essential civil legal needs; that we have a comprehensive and integrated approach to the services we provide; and that our system provides a continuum of meaningful and appropriate services for all. This has been a meaningful process for our state and we are ready to move our strategic plan in to action.

Appendix A: Survey Results

The below chart shows the survey findings of the steering committee prior to our meeting about prioritization. The following page shows the audience live polling results from the Fall Stakeholder meeting.





What projects or ideas within those 3 areas would you focus on?

- Court simplification for high volume SRL family cases and better referral list of qualified and supported unbundled attorneys.
- ABA Pro Bono Survey indicated that many attorneys are nervous about providing unbundled services. Increased training for attorneys and judges (so they accept this practice) may increase the number of services delivered which would help the very low-income receive free services and services for those with some ability to pay may be more affordable. It seems this could be accomplished at a fairly low cost with marketing and technical assistance from the bar associations and MN CLE.
- Creation of a coordinated intake and referral structure.
- "Know Your Rights" trainings conducted in partnership with trusted community agencies.
- Plain language forms. Ability issue same-day orders/ send reminders. Sharing resources, cross - training and more legal services imbedded in medical setting and community non-profits.
- Support for the statewide low fee family law project by encouraging more attorneys to take unbundled cases and increase awareness of practice tools that make this possible. Exploring ways to provide streamlined process in high demand, lower complexity cases and using technology wherever possible. Increasing collaboration and centralization of referral and triage to make it easier for clients to access services (as detailed in the Tull report)
- It makes sense to focus on maximum efficiency in the use of resources for triage, referral, and channel integration at the front end, specifically focusing on developing efficiencies that will free up as many resources as possible at the back end to address the nearly bottomless well of unmet need for full representation and more extensive legal services to protect families' and individuals' most basic critical needs.
- how to develop court navigators for SRLs
- I can't narrow it down within the categories. I can't think of something we're doing that we should stop doing, but there is room for reducing overlap among orgs.
- Plain language forms--provide funding to expand Self-Help Center's ability to continue creating new plain language forms.
- Unbundled Legal Assistance--encouraging a cultural shift within the bar and developing a way for people to search specifically for attorneys who will provide unbundled services (e.g. search functionality within the MSBA's existing Lawyer Directory search).

- Triage, Referral & Channel Integration--coordinated infrastructure for Legal Aid and a centralized repository for referral information so that organizations can stop duplicating work on referral options.
- Integration of community partners
- Community-centered approaches to ADR
- Greater access in Greater Mn
- I think creating an accurate database of resources and a system for maintaining it will be beneficial to clients, the courts, and other providers. It is a good foundation for the creation of a true triage system.
- No real priority within the "gaps" areas identified in each section
- A comprehensive integrated triage system involving the courts and legal services providers; exploring the use of chat bots or other automated services for initial client contact; getting additional feedback from community members and social service organizations re: community integration and prevention; increasing remote public access to court records.

Why did you choose these 3 areas?

- This seems like low-hanging fruit, a project that should not be too costly but might increase services quickly.
- If intake was more efficient, clients would have more satisfying customer service experience, programs could spend less time and money on intake and hopefully more time and money could be devoted to direct service provision. There is so much duplication of effort in the systems now.
- So that we can increase public awareness of and trust in the system and our services (especially among disenfranchised communities), and so that hopefully people can avoid the need for our services in the first place.
- I think they are doable and would make an impact in a short time frame.
- I think these could be specific and measurable, as well as involve additional resources and services in addressing the need for access
- Focusing on efficiency in triage, referral, and channel integration in the manner described above will allow civil legal services providers to focus on their core product: representation of the disadvantaged to vindicate their rights and to protect their basic needs. This is the fundamental essence of meaningful access to justice. Additionally, language services for the families and individuals is essential for meaningful access to justice.
- I think those will get the most bang for the buck. People need help before they go to court. I think increasing full rep is not realistic.
- In the course of our discussions, these three areas have been the most exciting possible development to me and have also struck me as some of the most concretely achievable.

Do you disagree with or have additions to the summary document sent out with this survey? If so, explain:

- No (2)
- N/A (2)
- No.
- Effectively and efficiently reaching, educating, and routing clients who need help with civil legal problems will provide them meaningful access to justice only if coupled with resources to deliver appropriate legal services -- the existing level of unmet need for full representation services is already significant.

Thank you for your time! Please add any other comments here:

- It was hard to limit my answers to three. :)
- This has been a very useful process. I wish all of us who assist SRLs could talk like this on a regular basis.

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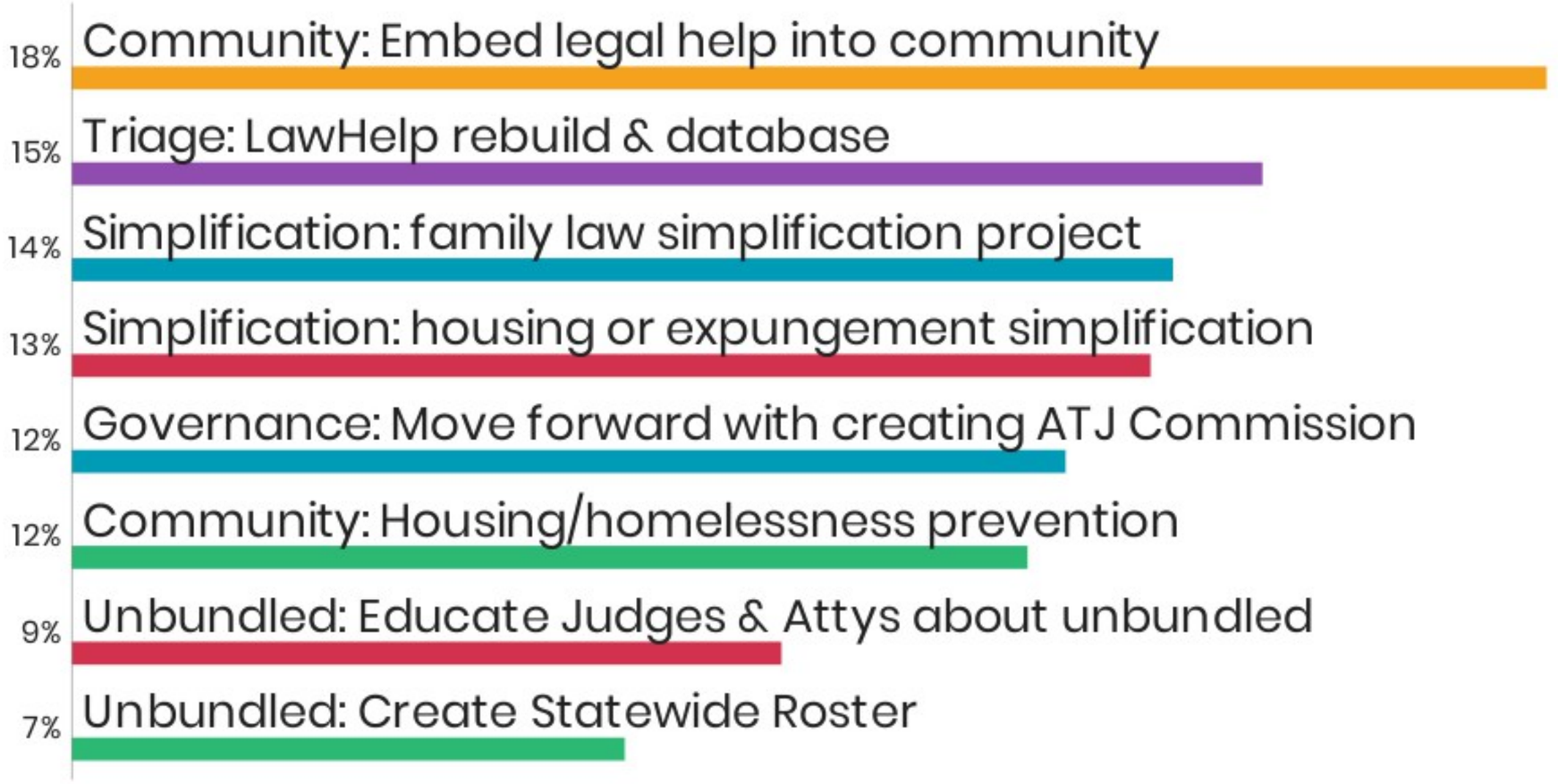
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