# Incorporating Access to Justice & Pro Bono Across the Law School Curriculum

AALS Conference January 5, 2023 Section on Pro Bono & Access to Justice

Co-sponsored by Clinical Legal Education; Creditors' and Debtors' Rights; Diversity, Equity, Inclusion, and Belonging Professionals; and Leadership Sections



Jim Sandman, President Emeritus of the Legal Services Corporation and Distinguished Lecturer and Senior Consultant to the Future of the Profession Initiative at Penn Carey Law School



Julia Vazquez, Director of the Community Lawyering Clinic and the Public Interest Law Concentration at Southwestern Law School



Stacy Butler, Professor of Practice and Director of the Innovation for Justice Program, University of Arizona College of Law



Lauren Sudeall, Faculty Director of the Center for Access to Justice and Professor of Law at Georgia State College of Law

Moderator: Darcy Meals, Director of Public Interest Programs & Deputy Director of the Center for Access to Justice, Georgia State College of Law

# Three Facts Every Law Student Should Know

- 1. Both parties have lawyers in only 24% of civil cases in state courts.
- 2. The Rule of Law Index ranks the United States 115<sup>th</sup> out of 140 countries on the affordability and accessibility of civil justice.
- 3. The current federal appropriation for the Legal Services Corporation is less than what Americans spend annually on Halloween costumes for their pets.



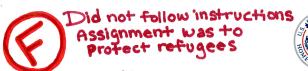
# VIRTUAL ASYLUM CLINIC: INTEGRATING PRO BONO IN TIMES OF CRISIS

Professor Julia Vazquez

Southwestern Law School

**AALS 2023** 

#### THE LEGAL CONTEXT: TITLE 42



#### MIGRANT PROTECTION PROTOCOLS ENDANGERMENT

"We have implemented an unprecedented action that will address the urgent humanitarian and security crisis at the Southern border. This humanitarian approach will help to end the exploitation of our generous immigration laws. The Migrant Protection Protocols represent a methodical commonsense approach, exercising long-standing statutory authority to help address the crisis at our border." - Secretary of Homeland Security Kirstien M. Nielsen

#### WHAT ARE THE MIGRANT PROTECTION PROTOCOLS?

The Migrant Protection Protocols (MPP) are a U.S. Government action whereby certain foreign individual entering or seeking admission to the U.S. from Mexico - illegally or without proper documentation - may be returned to Mexico and wait outside of the U.S. for the duration of their immigration proceedings, where Mexico will provide them with all appropriate humanitarian protections for the duration of their stay

### WHY IS DHS INSTITUTING MPP?

crisis on the Southern border. The Department of Homeland Security (DHS) is using all appropriate resources and authorities to address the crisis and execute our missions to secure the borders, enforce immigration and customs laws, facilitate legal trade and travel, counter traffickers, smugglers and transnational criminal organizations, and interdict drugs and illegal contraband.

MPP will help restore a safe and orderly immigration process, decrease the number of those taking advantage of the immigration system, and the ability of smugglers and traffickers to prey on vulnerable populations, and reduce threats to life, national security, and public safety, while ensuring that vulnerable populations receive the

Historically, illegal aliens to the U.S. were predominantly single adult males from Mexico who were generally

removed within 48 hours if they had no legal right to stay; now over 60% are family units and unaccompanied children and 60% are non-Mexican. In FY17, CBP apprehended 94,285 family units from Honduras, Guatemala, and El Salvador (Northern Triangle) at the Southern border. Of those, 99% remain in the country today.

Misguided court decisions and outdated laws have made it easier for illegal aliens to enter and remain in the U.S. if they are adults who arrive with children, unaccompanied alien children, or individuals who fraudulently claim asylum. As a result, DHS continues to see huge numbers of illegal migrants and a dramatic shift in the demographics of aliens traveling to the border, both in terms of nationality and type of aliens-from a

demographic who could be quickly removed when they had no legal right to stay to one that cannot be detained

In October, November, and December of 2018, DHS encountered an average of 2,000 illegal and inadmissible aliens a day at the Southern border. While not an all-time high in terms of overall numbers, record increases in particular types of migrants, such as family units, travelling to the border who require significantly more resources to detain and remove (when our courts and laws even allow that), have overwhelmed the U.S. immigration system, leading to a "system" that enables smugglers and traffickers to flourish and often leaves aliens in limbo for years. This has been a prime cause of our near-800,000 case backlog in immigration courts and delivers no consequences to aliens who have entered illegally

Smugglers and traffickers are also using outdated laws to entice migrants to undertake the dangerous journey north where on the route migrants report high rates of abuse, violence, and sexual assault. Human smugglers and traffickers exploit migrants and seek to turn human misery into profit, Transnational criminal organizations and gangs are also deliberately exploiting the situation to bring drugs, violence, and illicit goods into American communities. The activities of these smugglers, traffickers, gangs and criminals endanger the security of the U.S., as well as partner nations in the region

The situation has had severe impacts on U.S. border security and immigration operations. The dramatic increase in illegal migration, including unprecedented number of families and translation asylum claims is making it harder for the U.S. to devote appropriate resources to individuals who are legitimately fleeing persecution. In fact, approximate 9 out of 10 asylumclaims from Northern Triangle countries are ultimately found non-meritorious by federal immigration judges. Because of the court backlog and the impact of outdated laws and misguided court decisions, many of these individuals have disappeared into the country before a judge denies their claim and simply become fugitives.

The MPP will provide a safer and more orderly process that will discourage individuals from attempting fleathers. entry and making false saims to stay in the U.S. and allow more resources to be dedicated to individuals who legitimately qualify for asylum.

CHECK YOUR FACTS WA TURNING ASYLUM SEEKERS BACK TO MEXICO IS ILLEGAL, CRUEL, AND WILL PUT LIVES IN DANGER.

Developed by: **Human Rights** Watch

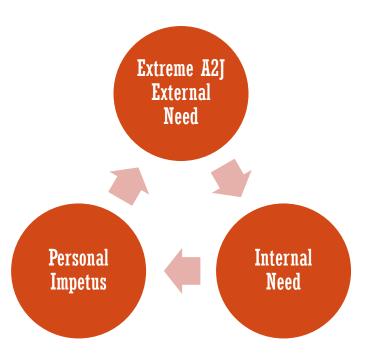


# "MIGRANT PROTECTION PROTOCOLS" (MPP) / "REMAIN IN MEXICO" 101

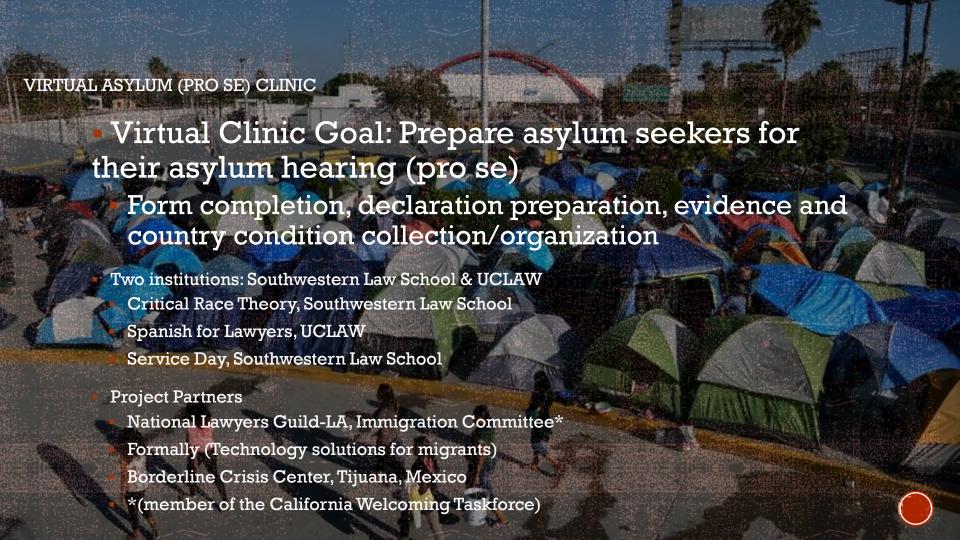
- Implementation began in early 2019
- Migrants at the southern border and request asylum:
  - Sent back to Mexico
  - Await asylum hearing
- MPP 1.0: Less than one percent (0.9%) successful in obtaining asylum or any other form of relief.\*
  - 641 individuals out of the over 71,000 asylum seekers

#### LAW SCHOOL/LEGAL EDUCATION CONTEXT

- Early-on in COVID-19 Pandemic; "The Shift"
- Canceled/postponed traditional pro bono opportunities
- New virtual models of pro bono/legal clinics had not yet emerged/were in the works
- Opportunities for student engagement needed
- Perfect storm: Access to Justice need coincided with the need for additional pro bono opportunities.









# OVERVIEW OF THE PRO SE CLINIC MODEL

- Migrants sign-up at the Border Line Crisis Center in Tijuana, Mexico
- Migrants complete their profile on Formally and begin their asylum forms to the best of their ability.
- Law student volunteer virtually meets with migrants to prepare forms, declarations, collect evidence.
- NLG Immigration Volunteer Lawyers screen and prepare the migrants for pro-se filing of their asylum applications.



#### **ESSENTIAL TECHNOLOGY**



















- **Migrants** 
  - Formally
  - •WhatsApp
- Law Students
  - Zoom
  - Formally
  - WhatsApp
  - •Google Docs
- Practicing Lawyers
  - Formally
  - •WhatsApp



#### **CURRICULUM INTEGRATION**

- Opt-in Model
  - Choice of Virtual Immigration Clinic or an end of term written project
  - Substantial portion of grade 30%:
  - 1. Training/Substantive quizzes
    - Built into the Pro Bono Training Institute
  - 2. Volunteer shifts (2)
  - 3. Written Product
    - Pre-volunteer response to prompt
    - Ongoing reflection practice notes (simultaneous to volunteer work)
    - Final Written Reflection: Integrates school-wide learning objectives
      - For the Critical Race Theory Class: Specific response to a prompt on race, immigration and Critical Race Theory
      - For the Spanish for Lawyers Class: Specific reflection on language practice and theory



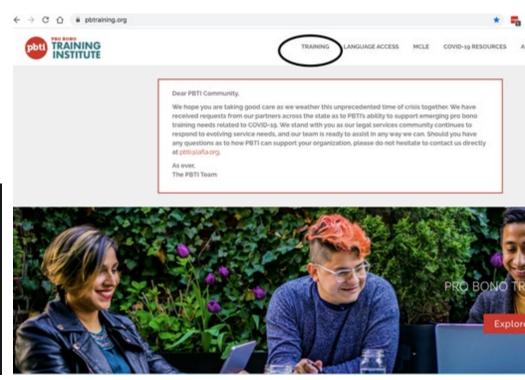


#### **VOLUNTEER TRAINING: SYNCHRONOUS & ASYNCHRONOUS**

- Background Training: asynchronous
   Pro Bono Training Institute
- Essential Trainings: live/synchronous
  - Trauma-informed interviewing & counseling
  - Using the project systems

Practice/mock interviews





## Lessons Learned

- Robust & Flexible Volunteer Training
  - "Flipped training" model: substantive asynchronous; practice/scenarios/intake practice in live modules
  - Students prefer 24/7 access
  - Live/Dynamic Training & Clinic Guide
    - Google Document, with embedded video trainings and forms and surveys
    - Changes/Edited as needed
- Inter-institutional collaboration influenced volunteerism
- Opportunity for Law Student Leadership
  - TA or RA to specifically for this project



# Future Considerations

- Opt-in Model Versus Mandatory Assignment?
- Expanded Pro Bono/Access to Justice Opportunities Introduce Unique Challenges
  - Volunteer Expectations
    - Pro se models versus full scope representation
  - Volunteer & Project "Match"



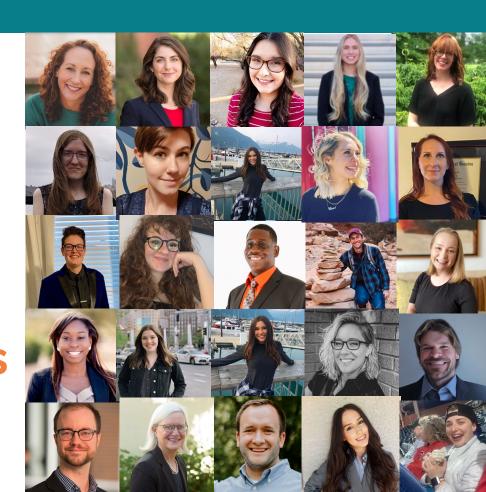


# • Law Student Evaluation Prompt: Do you have any other comments about your volunteer experience?

- "I would have never done this kind of work before. Thank you."
- "I already emailed the pro bono coordinator at [my firm] about immigration."
- "I didn't think I would be able to help in Spanish. Honestly, at first, I regretted choosing this assignment. It was way more work than the paper. But after my first WhatsApp call with Marina, I signed up for two more."
- "Are the attorneys really not going to represent him in court? Can you? We need to find him an attorney."

**i4J** is a...

**VIRTUAL** social justice innovation lab that designs, builds and tests disruptive solutions to the justice gap

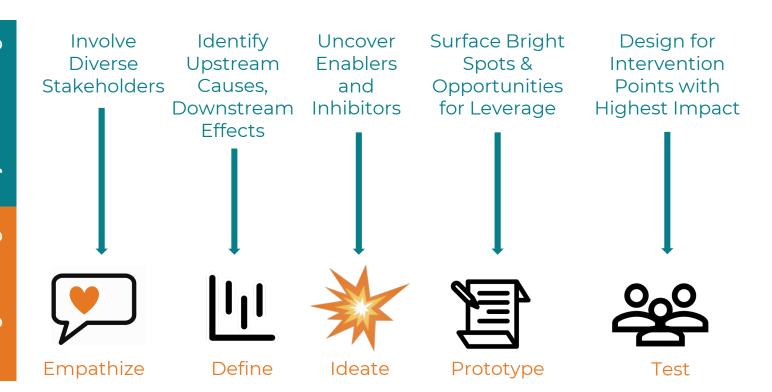






The FIRST and ONLY cross-discipline, cross-institution, cross-jurisdiction social justice innovation lab.





Three Courses
Align with
Three Impact
Areas



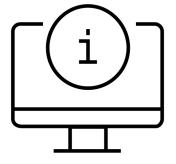
# **Service**Innovating Legal Services

Leveraging regulatory reform to legally empower under- served populations



# System UX4Justice

Ensuring that justicesector tech works for low-income populations



# **Structure**

Legal Innovation for Policy Advocacy Using technology to aggregate law and data for policy advocacy



Three Courses
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Three Impact
Areas



# **Service**

Innovating Legal Services

Leveraging regulatory reform to legally empower under- served populations



## The Justice Gap for low-income America

Civil legal problems are widespread among low-income Americans:

**50** million

Americans have household incomes below 125% of the poverty threshold – including more than 15 million children and nearly 8 million seniors

74%

of low-income households experienced **at least one civil legal problem** in the past year 39%

of low-income households experienced **five or more civil legal problems** in the past year

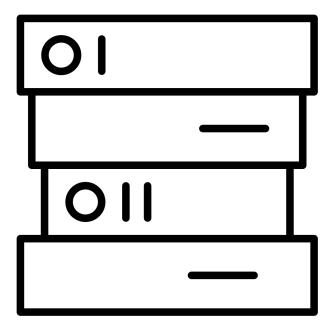


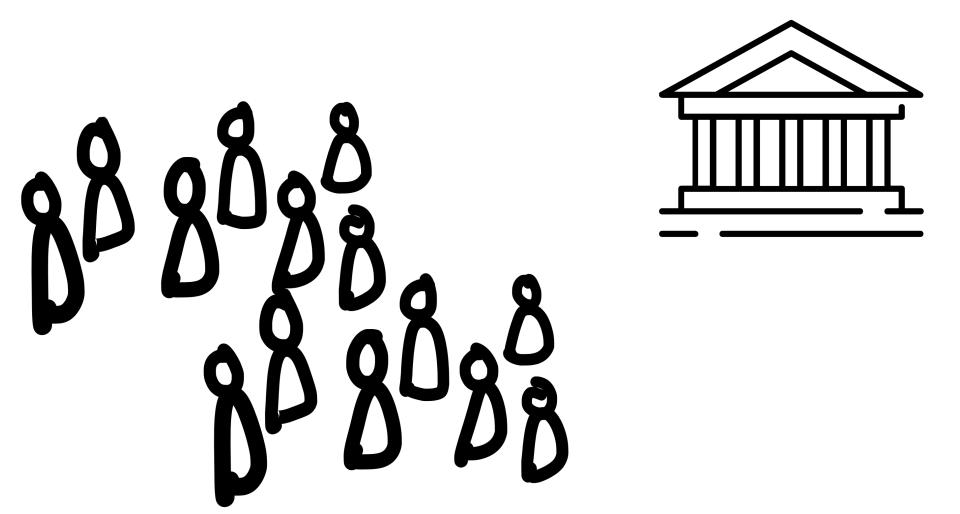
92% of lowincomeAm ericans navigate the civil legal system without lawyers.



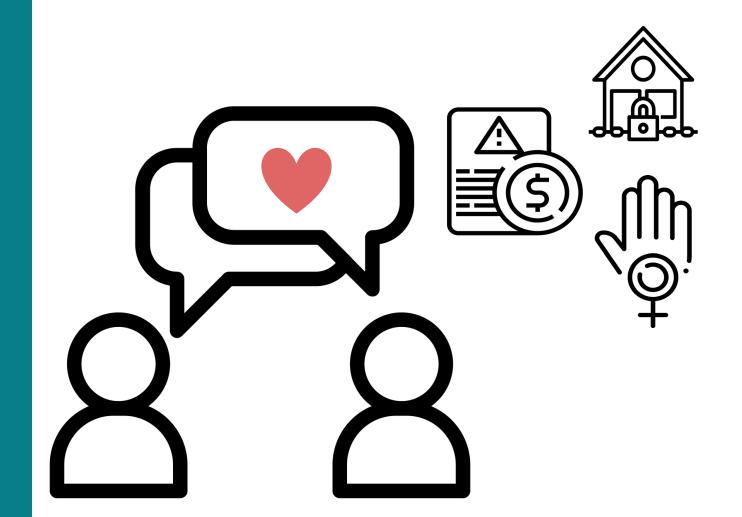


4 years of college + 3 years of law school + a bar license = lawyer





i4J = Community advocates giving legal advice





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Ensuring that justicesector tech works for low-income populations



Justice has a usability problem.



#### § 20-1072. Nonliability of enrollees for provider or hospital charges; penalty

#### Currentness

- A. Every written contract between a health care services organization and a provider or hospital shall set forth that if the organization fails to pay for covered health care services as set forth in the enrollee's evidence of coverage or contract the enrollee is not liable to the provider or hospital for any amounts owed by the organization and the provider or hospital shall not bill or otherwise attempt to collect from the enrollee the amount owed by the organization.
- B. If the written contract between the contracting provider or hospital and the organization fails to contain the required prohibition stated in subsection A, the enrollee is not liable to the contracting provider or hospital for any amounts owed by the organization.
- C. No contracting provider or agent, trustee or assignee of the contracting provider or hospital may maintain an action at law against an enrollee to collect any amounts owed by the organization for which the enrollee is not liable to the contracting provider under subsection A.
- D. Nothing in this section impairs the right of a provider or hospital to charge, collect from, attempt to collect from or maintain an action at law against an enrollee for any of the following:
- 1. Copayment or coinsurance amounts.
- 2. Health care services not covered by the organization, including out of area claims that are not paid by an organization on behalf of an enrollee.
- 3. Health care services rendered after the termination of the contract between the health care services organization and the provider or hospital, unless the health care services were rendered during confinement in an inpatient facility and the confinement began prior to the date of termination, or unless the provider has assumed post-termination treatment obligations under the contract.
- E. Nothing in this section prohibits an enrollee from seeking health care services from a contracting or noncontracting provider or hospital and accepting financial responsibility for these services.
- F. No provider or hospital may charge an enrollee of a health care services organization more than the amount the provider or hospital contracted to charge the enrollee pursuant to the provider's contract or hospital's contract with the health care services organization.
- G. Nothing in this section prohibits any person from informing an enrollee of either the cost of health care services performed or the status of any bill submitted to an organization in connection with health care services provided to an enrollee. Any information provided to an enrollee pursuant to this subsection shall include a statement that the information is not a bill and is for the enrollee's information only. The statement shall include the following disclosure prominently displayed at the top of the page in all capital letters: "Do not pay this statement. This is not a bill. The information provided below is for information purposes only."
- H. Unless preempted under federal law or unless federal law imposes greater requirements than this section, this section applies to a provider sponsored health care services organization.
- I. The director shall impose a penalty against any health care provider or hospital in violation of this section of up to three times the amount of the provider or hospital charges at issue.
- J. The director shall investigate any complaint filed pursuant to this section and enforce the requirements of this section.

			,	
	Origins	I - Court	2nd copy - Plaintiff	
Approved, SCAO	1st cop	y - Defendant	3rd copy - Return	
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COUNTY	PROBATE	R# 040514123		
Court address			Court telephone	no.
421 MADISON AVE, DETROIT	,		313-965-6098	
PROGRESSIVE MICHIGAN II		Defendant's name(s), address KLYE A CAJAR	(es), and telephone no(s).	
c/o Attorney		v		
Plaintiff's attorney, ber no., address, WELTMAN, WEINBERG & R DANIEL E. BEST, P58501	and telephone no. EIS CO., L.P.A.			
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Domestic Relations Case				
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family members of the per	son(s) who are the subject of t	he complaint.		
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Civil Case				
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The action 🗌 remains 🗍				j. Ža
Summons section completed by cour	rt clerk. SU	MMONS		
NOTICE TO THE DEFENDA	NT: In the name of the people	of the State of Michigan you are n	otified:	
1. You are being sued		eib		
2. YOU HAVE 21 DAYS lafter	receiving this summons and a	copy of the complaint to file a wri	tten answer with the court a	ind
served outside this state).	porty or take other lawful acti	on with the court (28 days if you	were served by mail or you we	ere
	e other action within the time a	illowed, judgment may be entered	against you for the relief	
demanded in the complain	it.		,	
<ol> <li>If you require special accor</li> </ol>	mmodations to use the court be	cause of a disability or if you requi	re a foreign language interpre	ter
to help you fully participate	in court proceedings, please	contact the court immediately to m	ake arrangements.	
Issue date	Expiration date*	ourt clerk		
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	ved on or before its expiration date. The	is document must be sealed by the seal of	the court.	
MC D1 (9/19) SUMMONS	DEF	MCR 1.109(D), MCR 2.102(	B), MCR 2.103, MCR 2.104, MCR 2.1	105

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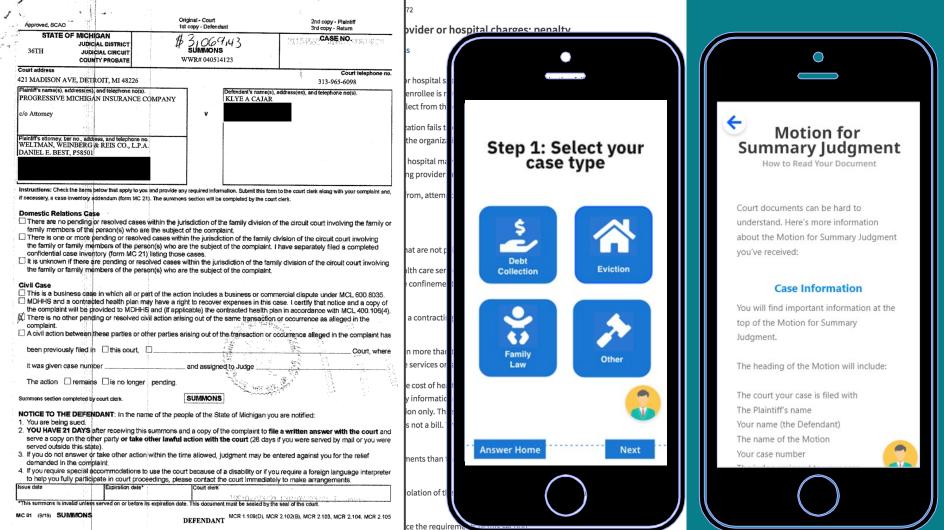


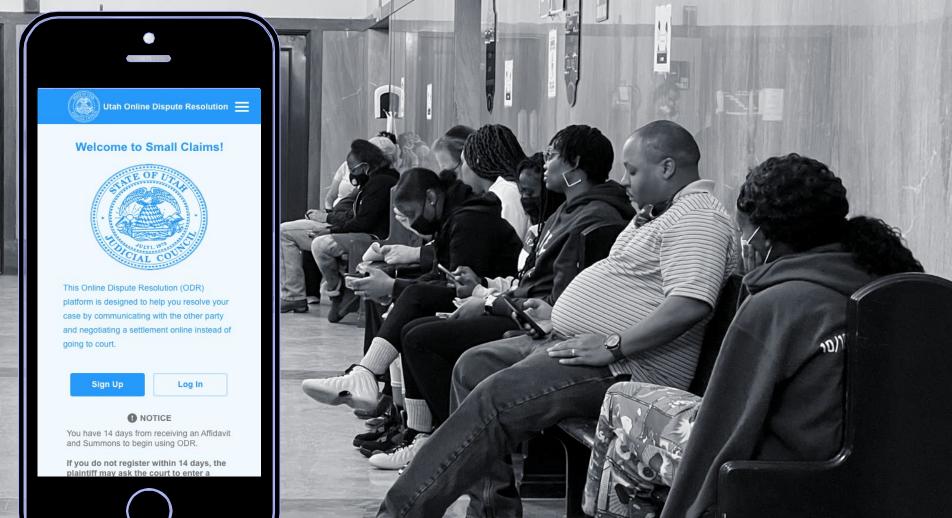
What is the justice system that you want?



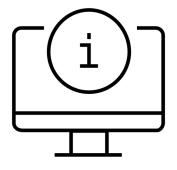
What will help you be able to use it?







Three Courses
Align with
Three Impact
Areas

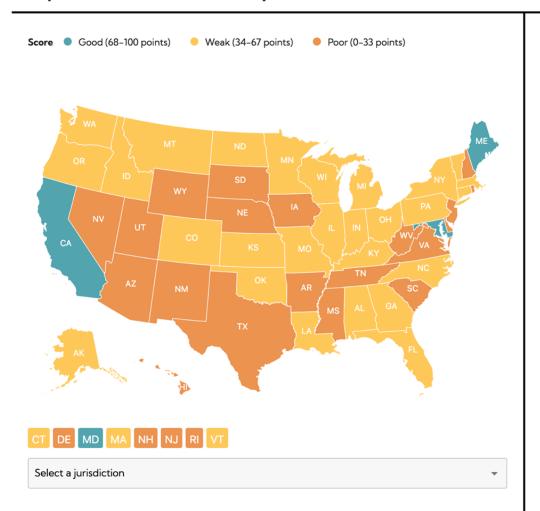


# **Structure**

Legal Innovation for Policy Advocacy Using technology to aggregate law and data for policy advocacy

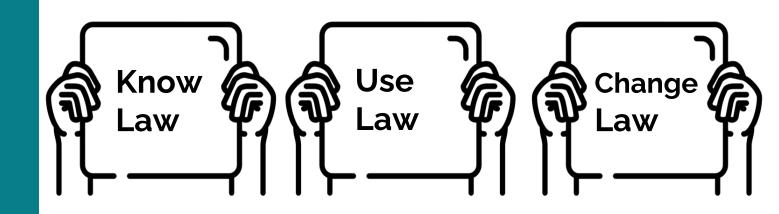


#### Compare Medical Debt Policies by US States



This map features the rankings and composite scores of all 50 states based on medical debt consumer protection policies. See the Methods page for detailed information about how these scores were calculated. Hover over a state to see an overview of its score and the key policies impacting its score.







# How might we include these concepts in doctrinal courses?



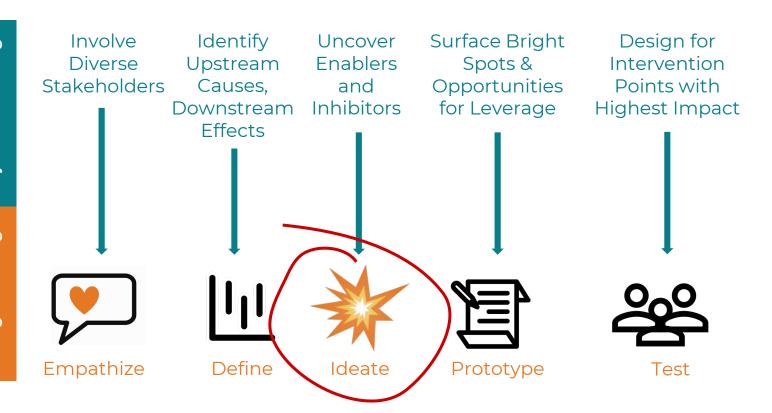
# The i4J Approach: Design + Systems Thinking

Involve Design for Identify Uncover Surface Bright **Thinking** Intervention Diverse Upstream Enablers Spots & Stakeholders Causes, Opportunities Points with and Inhibitors for Leverage Highest Impact Downstream Systems Effects **Design Thinking** Empathize Define Ideate Test Prototype

# Consider the issue from the perspective of the person experiencing the issue.

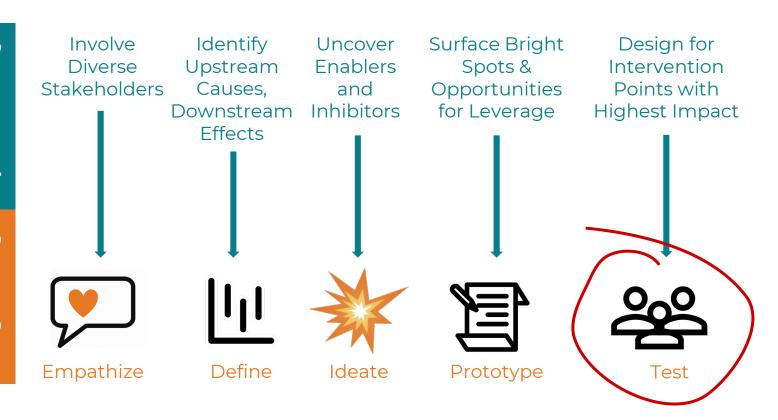
(see stand in the shoes exercise provided in your materials)





# Don't embrace the first, most obvious solution.





Involve the community in sharing their perspectives as part of your teaching / the law school curriculum.



# Access to Justice: Law Reform

### Lauren Sudeall

Professor and Faculty Director Center for Access to Justice

### **Darcy Meals**

Director of Public Interest Programs & Deputy Director, Center for Access to Justice

Georgia State University College of Law

2023 AALS Annual Meeting

CENTER FOR
Access to Justice

# **Course Topics**

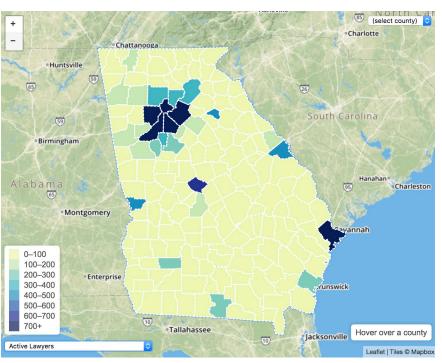
- What do "access" & "justice" mean? (Justice Gap)
- Right to counsel or not (civil/criminal)
- Substantive examples from civil/criminal contexts:
  - Civil: Housing and Landlord Law (eviction exercise, court observation)
  - Criminal: discussions and guest speakers on pleas, public defense, fines & fees, risk assessment
- Simplification, Plain Language
- Limited Literacy, Bandwidth
- Technology and Access to Justice
- Alternative models/solutions (e.g., non-lawyer)
- Rural access to justice (& comparative/int'l)





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### **Local Context: Mapping the Justice Gap**



- The vast majority of Georgia's 159 counties are low-population nonmetro counties.
- In Georgia, there are over 1.65
  million households in low to
  moderate income brackets for
  whom legal assistance is
  presumably unaffordable.
- Five Georgia counties do not have a single private lawyer and another 59 have 10 lawyers or fewer.
- All five of the counties without a lawyer have a poverty rate well above the national average.



### **Eviction Exercise**

PROCEEDING AG	AINST TENANT HOLI	ON COUNTY, STATI		Dispossessory Division 185 Central Avenue, SW TG100 Atlanta, Georgia 30303 (404) 613-5360 www.magistratefulton.org	""E-FILED"* <initial 11:55:46="" 2017="" 6="" 7="" c<="" cathelene="" date:="" robinson,="" th=""></initial>
2500 CENTER ATLANTA GA 770-458-001	30318	: ACMAN		CASE #	
V.	IL/ADDILESS/FITOINE	JENNE			
LARESHA SHA	DGE DR. B-218 30318			PLAINTIFF'S ATTORNEY NAME/AU	#079229 DDRESS/PHONE/EMAIL
Defendant is	in nossession as ten	ant of premises at the a	ddress in Fulton C	ounty as stated above	
Affiant is the     Defendant	☐ Owner☐ fails to pay t ☐ holds the pr	Attorney the rent which is now pa emises over and beyond s permission to remain	☐ Agent st due. I the term for whice	☐ Tenant of the owner of sa	id premises.
4. Plaintiff desir		ed possession of the pre	emises.		
		to deliver possession o			
WHEREFORE, Pla	intiff DEMANDS				
	n of the premises.				
(b) Past due	rent of \$	for the month(s)			
(c) Rent accr	uing up to the date	of judgement of vacanc	y at the rate of \$	per month	
(d) Other:					
affirm that the stat	ements set forth in the	h, or affidavit to the pleadi above pleading(s) are true	and correct.	e court and attaching my electronic sign	
/s/ MARIO D PLAINTIFF(S) or A	. BREEDLOVE		6/7/2017 DATE	PHONE NUMBER / EMAIL ADDRE	
T Delittini (a) or A	ar man		SUMMON		
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TO: THE MARSH	AL of the Magistrate	Court of Fulton County	or his lawful depu	ties:	
Georgia, 30303 b or a Court holida oral, the substan if no valid legal o shall issue instar Deputy Clerk by	etween 8:30AM and y, in which case the ce thereof shall be e r factual Answer is fi iter. WITNESS the H affiant as provided b	d 5:00PM within seven (; Answer may be made endorsed on the disposse led, a writ of possession	7) days from the da on the next day w essory affidavit, Th may be issued pur f said Court. The a d summons issues	los written Answer at Room TG100, the of the actual service unless the se hich is not a Saturday, a Sunday, or e Answer may contain any legal or e suant to O.C.6, 4, 94.7-53. If no An bove affidavit was sworn to and su pursuant thereto.  DEPUTY CLERK  DEPUTY CLERK	venth day is a Saturday, a Sunday, a Court holiday. If the Answer is quitable defense or counterclaim, swer is made, a writ of possession bscribed before the undersigned
		DRIVATE DE	OCESS SERVER AE	FIDAVIT OF SERVICE	
☐ PERSONALLY ☐ NOTORIOUSLY ☐ TACK & MAIL.	DEFENDANT NOT (NAME) Posting a copy to the	and Summons on the Di FOUND AT WITHIN ADD Age ne door of the premises	efendant(s) by deli DRESS ON SAID SUI Wt Ht. and depositing a c	vering a copy of same: VIMONS AND AFFIDAVIT	
DATE OF SERVICE				DEFENDANT TO ANSWER ON OR B	EFORE:
PROFESSIONAL P	ROCESS SERVER			NOTARY	
			ANSWER		
To file your answ	ver online visit <u>ww</u>	w.AnswerDispo.com and		number. All Answers must be elect	tronically filed by 11:59PM on or

before the last day to answer this summons. A service charge applies for online answers. No service charge applies to answers made written or or ally

Each student gets a copy of the Eviction Notice and a short recap of the facts:

Your name is Ms. Shaw. You are 35 years old, living at 123 Main Street in an apartment owned by the plaintiff.

You pay \$450/month in rent and have lived there for two years with two young kids as part of the Project Based Rental Assistance program operated by the U.S. Department of Housing and Urban Development.

About ten months ago, you had a noisy but nonviolent disagreement with another tenant and now Plaintiff, your landlord, wants you to vacate the premises. The apartment isn't your ideal living space – the carpet is moldy, there are often bugs and mice running around, and there's a hole in the front door – but it's your home, you don't have anywhere else to go, and you don't want to leave. What's more, your landlord never even mentioned having an issue with you or with the altercation you had with the other tenant; the eviction notice is the first you've heard from him.

Along with these facts, each student gets a card with other details about their individual circumstances (e.g., non-English speaker; only have Internet access on your phone; work 7am to 7pm M-F and no vacation leave available)

What do you do?



### **Court Observation**



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# Things to watch for in court

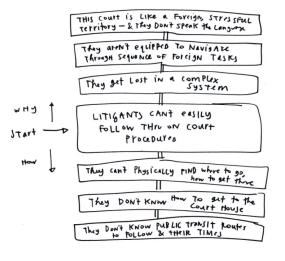
- Signage: What's there? What's confusing or missing? Would you know where to go?
- Courtroom dynamics: Who is there? Who seems to be in control? What is the racial/gender makeup of landlords/their counsel and the judge/court personnel? Who is speaking to whom, and how are people treated? Do people seem to understand what is going on?
- Representation: Who has counsel? How are lawyers treated by court personnel (in contrast to self-represented parties)?
- Mediation: What role does the mediator play? What's the dynamic between the actors in the mediation room? Are there neutral ways a mediator can be helpful in clarifying confusing elements? Is mediation successful? What do the landlord and tenant agree to? Does the tenant appear to understand the purpose of mediation? Does the tenant understand the outcome of mediation and, if made, the agreement between the parties? (How could a judge help clarify as Krent suggests?) Are there claims you would think the tenant could have raised had s/he had counsel?
- Explanation of Process/Rights: What information do tenants receive regarding their
  rights? How much legal terminology is used in doing so? Does the judge explain the
  process in advance? Do defendants seem to understand what is happening?
- **If you see a trial**: How are pro se parties treated vs. represented parties? Are they held to the same or different standards?
  - Do you observe specific instances where a lawyer might have been helpful?
- Are there simple things that might make dispossessory court less intimidating?
  - What do/could judges do to help?
  - Stick your head in the door at the Housing Court Assistance Center, where tenants facing eviction can get free, limited legal assistance filing an answer > Can you find it? How would you know to look for it?

**Access to Justice** 

 Does the court make other resources available for tenants navigating their case?

# **User-Centric Legal Design**



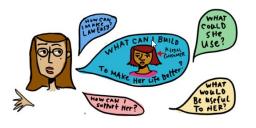


### Consider:

- what the user cares about in this system or context
- how they like to receive information
- how they prefer to interact with others
- what their skills and practices are
- what concerns or limitations they have
- any other constraints or preferences your persona may have

Images from Margaret Hagan http://legaltechdesign.com/access-innovation/legal-design-manifesto/





### **User-Centric Legal Design**



Personal

NTERESTS:
What does she spend hetime on?
What enlivens her?
What does she read, watch, p

POWERS:
What Resources does she
control?
What can she do, muster?
Who does she have influence
over?







ASPIRATIONS: WHAT KIND OF PERSON TO THEY WANT TO BE? BEANDS? SPENKING PATTERNS? Life Dreams?

- Encouraging/affirming framing
- Plain language
- Tools to help prepare for court
- User-friendly signage and layout
- Relevant graphics
- Best practices re: fonts
- Use of white space
- Simplified paperwork, simplified everything

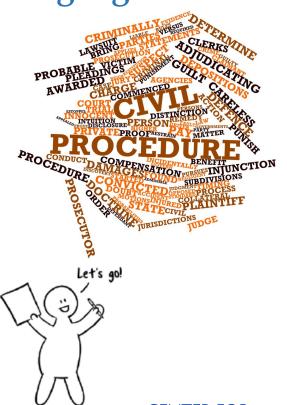
Images from Margaret Hagan http://legaltechdesign.com/access-innovation/legal-design-manifesto/

Access to Justice

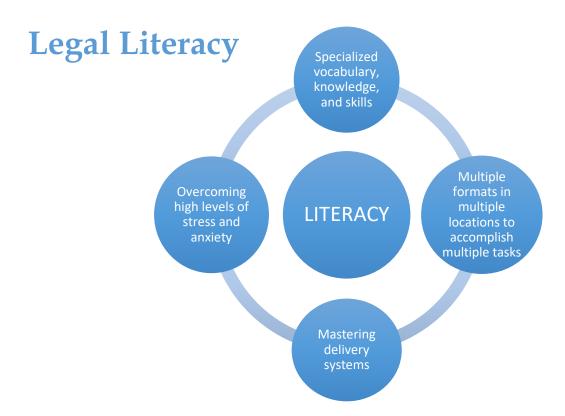
## Simplification & Plain Language

For processes, forms, and rules:

- Collect information only when needed and from the person who can most easily provide it
- Involve only the necessary players
- Minimize the number of steps
- Tailor the forum to the proceeding
- Use technology when appropriate
- Streamline so any door is the right door









# **A2J Implementation Project**

### A2J Implementation Project (with a group)

In your assigned group, you will be responsible for identifying a discrete aspect of the court process that may pose access-to-justice problems for lower-income, self-represented litigants in either the housing/eviction or family law contexts. You will then develop a one-page guide that could help this group in better understanding or navigating the process, using the knowledge you have gained in this course. In addition to developing the one page "solution," your group will write a short report (5-8 pages) describing the "problem"—why might this aspect of the court process be problematic or confusing to this group of individuals?—and the process you employed to develop your "solution." In your report, you should cite to relevant sources supporting the argument that: (1) the status quo creates issues for your target audience; and (2) your proposed solution is necessary and will be effective. During the final class meeting(s), you and your group will present your work to the class as a whole.



# **A2J Implementation Project**

- Define the problem
- Identify your target audience
- Outline your goals/what the user needs
- Consider what to communicate, how, and when
- Choose a format
- Create, using design principles

Make it useful, usable, engaging





### How to Get Help Responding to a Dispossessory Notice



What Does This
Dispossessory Notice
Mean?

What is a Dispossessory Notice?

 A Dispossessory Notice is a notice that your landlord is trying to evict you.

Are you being evicted right now?

No, you are not being evicted today, you still have things you can do
to fight the eviction.

What should you do to fight the eviction?

 You MUST file a response, called an Answer, to the Dispossessory Notice within 7 days of the Date of Service listed (see the picture below).

Where can you go for legal help with writing your Answer?

- The Housing Court Assistance Center (or HCAC) on Tuesdays and Wednesdays from 9am – 12pm in room TG100 of the Fulton County Courthouse located at 185 Central Ave. SW, Atlanta, GA 30303.
- Visit the HCAC on the web at <a href="https://www.fultonhcac.com/">https://www.fultonhcac.com/</a>.

Understanding the Dispossessory Notice:	
onderstanding the Elephonetry House.	MAGISTRATE COURT OF FULTON COUNTY 123456
Your Case Number	
The Plaintiff is the party that is trying to evict you. The Plaintiff	PLANTEPS NAME, ADDRESS & PHONE NO. 155.
should be your landlord or someone who works for your landlord.	
The Defendant should be you or someone living with you. Even if—	DEFENDANT'S MARE 8 ADDRESS PLANTIFFS ATTY NAME, ADDRESS & PHONE
your name is not on here, you should visit the HCAC for help with the Dispossessory Notice.	Defaulted in in prosession as invest of prenises at the abbies in Father Coursy as stead.     Affact is the (   Corec.   ) Advance; ( ) Agent; ( ) Leases of the currer of soil pomises.     Total or ) I belief any of the results in copy and all or             I holds the prenises over set beyond the zero for the visit it may were meter or leased to brin.
This is the reason the Plaintiff says they want to evict you.	Price of Selection and the Operation of the previous     Price of Selection and the Operation of the previous.     Defendant has falled and refusiod to deliver possession of the previous.
What the Plaintiff wants is:	WWINTEFORM, Provint Of MANDOS: (04) occasion of the profise.  Reload fine were of 5 for the months); of
(A) The property back from you, and you to leave the property.	(i) mind according up to the deals of fudgement or vacance at the rate of 8per
(B) Any unpaid rent and fees. (C) If the eviction is successful, the rent and fees you will owe	FLED WOFFICE, THIS APPLIET
when you are evicted.	PHONE NO. GLERK
(D) Other.	TO THE CONSTRUCT SHAMMARKED IF THE State Count of Pulson County or his learful deputies and to the Sharet of Pulson County or his learful.
The SUMMONS requires that you, or your attorney, file an	GREETNOS: The defendancy) benin is any commanded and required personally or by atomay to appear in Floor T0400, Justice Street, 155 Cartery Assessed, 518, Affects, Cartery between 670 A.M. and 670 A.M
Answer to the Dispossessory Notice. You MUST file your Answer	within afficient and summore (or or the first fouriers day the seath of the new thin (by falls or distinct or Gendry or legal findings) to answer the affoliation of the seath of the new thin (by falls or distinct or legal findings) to answer the affoliation in writing or way's represent the answer is NOT made, or YYX or Possession shall asser relation.  WITHINGS ON the homosphic findings of said Charles.
within seven days from the date of service listed below. If the	The above difficult was around to add substituted the underligned Deputy disk by affect as provided by 0.0.0.A, 44.7.50 and automore social substitute the provided by 0.0.0.A, 44.7.50 and automore social substitute thereto
seventh day falls on the weekend or a legal holiday, you must file	This DANITY CLOSE
on the first business day after that weekend or legal holiday.	CONSTRUCT MARGINAL ENTEN OF SERVICE
You can file your Answer in room TG400 in the Justice Tower	However, the design of the second of the Defendant(s) by defending a copy of series:   Personals   Netodauty (reme)   Netodauty (reme)   No posting a copy to the daw of the previous its depositing a copy to the U.S. Mail. Prior Disse in an emerge of the time defendanting of cost in the content of the first Netodauth of the content of the Netodauth of the content of the Netodauth of the content of the Netodauth
located at 185 Central Ave., SW, Atlanta, GA, Monday through	DATE OF SERVICE D. M.
Friday, from 8:30 A.M. and 5:00 P.M.	DEPENDANT TO ANSWER ON OR BEAUTE
The Date of Service.	On the hereby commenced to remove and Orientednitis logistims with the property cannot now said house and precises and precise and precise and precise and precise and precises and precises and precise and preci
The date you MUST submit your Answer by.	PRI OTER DATED   JENSOTED   JESTILED WPLANT FF   JHSLD LP   JLANON TOWNS   TWO AND   JENSOTED   JESTILED WPLANT FF   JHSLD LP   JLANON ADDITION OF THE PRINTED

This handout is not legal advice. You should talk to an attorney to help you take steps in dealing with your eviction case.

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Access to Justice

Understanding the Dispossessory Notice:	MAGISTRATE COURT OF FULTON COUNTY 123456	
	PROCEEDING ACAINST TERANT HOLDING OVER	
Your Case Number		
The <b>Plaintiff</b> is the party that is trying to evict you. The Plaintiff should be your landlord or someone who works for your landlord.	PLAINTIFF'S NAME, ADDRESS & PHONE NO. VS.	
The <b>Defendant</b> should be you or someone living with you. Even if—your name is not on here, you should visit the HCAC for help with the Dispossessory Notice.	DEPENDANT'S NAME & ADDRESS  1. Defendant is in possession as ternant of premises at the address in Fution County as steled.  2. Affaint is the   ) Owner.   Alborrey. ( ) Agont. ( ) Leapee of the owner of said premises.  3. Tenant. ( ) Indis to part when which is now part due.   ( ) Indis to part may be compared to the premises over and beyond the term for which they were nested or issued to him.	
This is the reason the Plaintiff says they want to evict you	Plaintiff deares and has demanded possession of the premises.     Defendant has falled and refluible to deliver possession of the premises.	
What the Plaintiff wants is:(A) The property back from you, and you to leave the property.	WHEREFORE, PRIARTI DEMANDS:  (a) possission of the partities.  (b) past due next of \$\frac{1}{2}\$. (or the monthly) of  (c) mint according up to the cate of \$\int \text{Uppersists of vacancy at the rate of \$\frac{1}{2}\$.  (d) mint according up to the cate of \$\int \text{Uppersists} \text{Valpersists} \text{Visits} Vi	
(B) Any unpaid rent and fees.	FILED IN OFFICE, THIS	
(C) If the eviction is successful, the rent and fees you will owe when you are evicted.	AFFUNT PHONE NO. CLERK	
(D) Other.	SUMM/ONS  TO THE CONSTABLE MARSHAL of the State Court of Fulton County or his lawful deputies and to the Shariff of Fulton County or his lawful	
The <b>SUMMONS</b> requires that you, or your attorney, file an Answer to the Dispossessory Notice. You <b>MUST</b> file your Answer within seven days from the date of service listed below. If the seventh day falls on the weekend or a legal holiday, you must file	ORDETINGS: The defending(s) herein is are commanded and required personally or by atturney to agreer in Room TG&OD, Justice Tower, 150 Central Avenue, 15M, Klasta, Georgia, between 8:30 A.M. and 500 PM. on or before the SEMBRITH day from the date of service of the worth indicated and unumnote (or in the torburned edge from benefits of the service of the worth indicated and unumnote (or to the torburned edge from entered from the service of the worth of the service of the service of the worthing or only in service. If the service is NOT made, a Wirt of Possession shall issue instance.  VIFINESS the foreneable ORM of upon of add Court.  The above difficient was seem to and solutioned before the undersigned Deputy dish by effort as provided by C.O.O.A. 447-50 and summons takes, provided the door.	
	DEPUTY CLERK	
on the first business day after that weekend or legal holiday. You can file your Answer in room TG400 in the Justice Tower	There served the foregoing afficient 8 summone on the Defendent(s) by delivering a copy of serve:   Personally ( ) Notionously (reme) in an envelope properly addressed, said copy containing notifie to the Defendent(s) to service at the hour a place in and summons.  **DATE OF SERVICE**	
located at 185 Central Ave., SW, Atlanta, GA, Monday through	DEFENDANT TO ANSWER ON OR BEST E	
Friday, from 8:30 A.M. and 5:00 P.M.	WRIT OF POSSESSION	
The Date of Service.	You are hereby commanded to remove said Oefendant(s) together with his property therein from said house and premises and to downer full and guist possession of same to Plaintiff herein.	
The date you MUST submit your Answer by.	This PER ORDER DATED UPGETTEED   SETTLED W PLANTIFF   HELD UP   I LASOR DATE OFFUTY MARSHAL	



Where to go...

### **Fulton County Magistrate Court** 185 Central Ave., SE, Atlanta, GA 30303

You must go to court at the time and date listed on your court order. It is important to arrive early. If you are late, you may lose your case automatically.



#### What to bring:

Bring all papers and photos that support your case. (Ex. your lease, photos of property damage, any messages you have received from your landlord, witnesses, etc.)







### What to expect...

### Before the hearing:

- 1. The clerk will take attendance. This is known as the calendar call. When you hear your name, stand up and say "tenant" or "defendant". Be sure to speak loudly and clearly.
- 2. A court employee will then assign your case to mediation. Be sure to bring your notes and documents with you. WHAT IS MEDIATION?
  - Mediation is a good chance to talk informally with the other side to see if you can reach an agreement.



- Mediation provides you the opportunity to tell your side of the story. Here, you and your landlord can try to come to an agreement without going before the judge.
- Be creative! This is your chance to present alternative options to your landlord instead of being evicted.
- 3. When the mediator asks for your side of the story, you should explain all of the problems and concerns you have about the property. Those concerns could include: leaky roof, A/C problems, and any other repair or condition issues.
- 4. Standard negotiation questions include: whether a tenant will continue to live there or move out; if a tenant is to move out, when; and whether money is owed to either party.
- 5. If you and your landlord are not able to reach a compromise in mediation, you will return to the courtroom and have a hearing in front of the judge.

#### During the hearing:

- 1. When the judge calls your case, you will come to the front of the room and sit on the right side at the table provided.
- 2. You will then be sworn to tell the truth. After this, the hearing will begin.

#### COURTROOM BEHAVIOR

take a few deep breaths.

Do not interrupt the judge or talk while the judge is speaking. - Stand when you speak to the judge. - Try to stay calm, clear, and organized. If you feel yourself getting angry or defensive,



- 3. First, your landlord will explain what is going on. Next, the judge will ask you what you have to say. Here you can repeat what you have told the mediator and explain your case.
- 4. Your landlord or his/her attorney has the right to question you. Listen carefully. Answer each question truthfully.
- 5. You will have the chance to ask your landlord questions. If you can't think of anything to ask, it is okay to not ask any
- 6. At the end of the hearing, the judge will issue a ruling. It's okay if you don't understand something, just ask the judge for
- 7. The next day, a copy of the order will be available. You will want a copy, either a hard copy or electronic, of the court's decision to keep in your records.

### Court Checklist:



1. Reach out to Legal Aid for assistance with court procedure and possible representation

2. Put your court. date and time on your calendar. Make necessary arrangements to be

3. Prepare your 4. Arrive to the courthouse defense. Bring with time to spare. Ask any documents security or any courthouse courtroom to make that will help you staff if you need help make your case. finding the courtroom.

5. Sit towards the front of the sure you can hear

6. Have confidence when making your understand

7. If you do not 8. Get a copy of the ruling the day after something, just ask! your hearing

court date:

We wish you the best of luck! You can do this!

CENTER FOR **Access to Justice** 

# PREPARING FOR DISPOSSESSORY (EVICTION) COURT

Did you see this sticker on your eviction notice?



Use camera on smartphone to scar and access video about what to expect on your day in court →





### STEP 1.

Scan the QR code on the sticker to learn more about your next steps



### STEP 2.

Watch the video and use the time until your court date to prepare or remedy the issue



### STEP 3.

For further assistance, call 404-314-6444 to speak with a knowledgeable volunteer at the Eviction Help Hotline



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### **Student Feedback**

"This was the **first class where I learned about what is actually happening on the ground** and what I can do to help the reality of the legal field I'm about to enter . . . I'm surprised that this was **the first time** I was experiencing this since it wasn't until my last semester for law school."

"The fact that **we were able to develop projects** and proposals that court staff and public interest organizations said they are **interested in adopting** is AMAZING!!!"

"Very glad this course exists at our law school. It **empowers students** and shows them they can make the positive changes they want to see."

"I think this is a meaningful course and **important for any future lawyer** to understand these issues."

"I think that this course **should be a requirement** because it shows law students a more practical side of the law. If legal research is a requirement 1L year, this should be too."

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